THE BRITISH JOURNAL OF DELINQUENCY

Vol. IX October, 1958 No. 2

EDITORIAL

Dr. Glatt's survey of recent work on the relation between alcoholism and crime, backed, as it is, by considerable first hand experience, adds force to his protest against the therapeutic nihilism which obstructs progress in the understanding of both these groups of disorder. At the same time it points the necessity of ordering clinical classifications on a sound etiological basis, one which takes into account the unconscious factors common to related conditions. The confusions which arise from the attempt to establish direct causal relations between one clinical disorder and another can be effectively eliminated only if we regard them as different end-results arising from variations in unconscious levels and mechanisms. In other words it is important to regard alcoholism and pathological crime as different forms of attempted solution of conflicts, which may, however, have much in common. On the whole, pathological crime attempts to discharge conflict in external (environmental and social) directions; alcoholism as a rule attempts to discharge it in internal, individual disturbances. But there are many types of alcoholism. We can, for example, distinguish hysterical, obsessional, depressive, paranoid and schizoid varieties, the first two of which are mostly endopsychic in their direction. The last two, however, manifest also externally directed pathological reactions, e.g. suspicion and hostility. It would seem, therefore, that in our efforts to correlate alcoholism and crime, special attention should be paid to the depressive type of alcoholism; for although depressive states tend mostly to affect the individual himself, yet, as Dr. Woddis has pointed out (this Journal, Vol. VIII, No. 2, p. 85), some of the prodromata or even sequalæ of depressive states may take an anti-social form. Not only so, there is some reason to think that the factor of conflict over ' unconscious homosexuality ' operates both in depression in alcoholism and in a variety of cases of delinquency. These are important links in the chain of psychic disorders and indicate how essential it is not to be biased by the social

significance of any one criminal manifestation. Psychopathology begins, though it may not always end, ' at home '.

Mrs. Wilson's paper is an ecological study of juvenile delinquency, but especially focused on the ' problem family '. In spite of the existence of a growing literature, there is no universally accepted definition of the latter term, just as there is no general agreement on what constitutes a problem child, and Mrs. Wilson's two guiding criteria of ' health coupled with hygiene ' and ' solvency coupled with planning ' may be as valid as others such as marital discord coupled with low intelligence. The most significant of her findings are that in her group of problem families the delinquency rate was eight times as high as the general rate for Cardiff and twice as high as in her control group of non-problem families living in the closest vicinity. From this, Mrs. Wilson concludes that ' juvenile poverty delinquency is home-centred and not area-centred '. It is to be hoped that similar studies might be made in similar areas to see whether these findings will be confirmed. At present, as other recent studies have shown, it might be too early to discard ecological concepts altogether.

Much of the doubt arising in the minds of some regarding the psychoanalytic theories of delinquent behaviour arises from the absence of adequate observational studies of young children. Firstly, we want to know how children behave at the suckling stage, how mothers manage this phase and what sort of mothers they are. Secondly, we also want observations on the alleged loveless, affectless child before we postulate even an adequate statistical analysis of what is an affectless, a ' frozen child ', in relation to other behavioural features. Mrs. Dockar-Drysdale does not provide the earliest necessary observation—that was not given to her in her residential establishment—but she tells us something of this baffling phenomenon of affectlessness, its apparent normality and its sudden eruptions against the adult. In this respect we see one of the larval or embryonic layers of the delinquent's mental structure. To carry the metaphor a further stage, there is first a premature schism of mother layer and the suckling and therefore an unripe individuality is forced on the child; later there is a division between the child's own psychic embryonic layers which cannot truly function without one another. That is, the true sense of another is suspended if not lost, and there is a craving to return by wild methods, like the wild random movements of an imprisoned animal. The affectless child is imprisoned in himself and psychopathic conduct is in some measure a fight for freedom. But this can never be enjoyed without the co-operation of others, hence its potentially anti-social quality.

Dr. Schmideberg's paper on the treatment of the 'unwilling' patient raises issues which have frequently set analytical psycho-therapeutists by the ears. Commonsense would itself suggest that the reluctant patient is not a very favourable subject for psycho-therapy and in their consultative capacity psycho-analysts generally take the view that however 'favourable' the case may appear from the symptomatic point of view it is not likely to respond to psycho-analytic procedures unless the suffering endured is recognized by the patient as motivated from within and unless it is of such a degree as to compel him to seek treatment. Most pathological delinquents do not satisfy these therapeutic requirements; the first they may hear of psycho-therapy may be a Court order instructing them to attend some clinic for treatment. Yet obviously it would not only be a breach of professional ethics but an open confession of failure to withhold treatment on the score of unfavourable prognostic criteria. If we accepted such an argument it would be equally justifiable to refuse treatment to psychotic cases or for the matter of that to children who are notoriously reluctant patients. To be sure, the sick person is entitled to refuse treatment unless by doing so he threatens seriously his own interests or at least the safety of the community. And the serious delinquent does constitute a danger to the community. The unwilling patient is in fact a challenge to the ingenuity, tact and understanding of the therapeutist.

Dr. Schmideberg takes this bull by the horns by saying outright that the unwilling patient must be prepared for treatment by mobilizing his reality sense and sense of responsibility, his anxiety and his guilt. This therapeutic form of 'dressage' she is also prepared to continue throughout the more analytic phases of the treatment. It is interesting to note that this corresponds closely to the policy of a large number of child-analysts who maintain that before a small child can be analysed successfully, it must undergo a form of ego or superego education. Theoretically speaking, all this may not conform to the classical rules of analysis, but it does suggest that the difficulties encountered in analysing pathological delinquents do not differ from those encountered in the treatment of children. No doubt with increased knowledge these obstacles will in course of time be more readily overcome. In the meantime modifications of 'classical' techniques can be fully justified on the score of their expediency, in other words their appropriateness to the case. Perhaps the real answer to the problem of treating pathological delinquency is indeed to recognize and treat the individual during the predelinquent stage, i.e. during childhood.

ALCOHOLISM, CRIME AND JUVENILE DELINQUENCY[1]

M. M. GLATT (SOUTHALL)[2]

ALCOHOLISM AND CRIME

Progress in the field of alcoholism is hampered by many popular misconceptions. Thus often the typical alcoholic is thought of as a psychopathic or criminal individual who does not deserve much help and who will never do well anyway. Naturally crimes are committed under the influence of alcohol by alcoholics as well as by non-alcoholics. Alcoholic intoxication releases aggression, directed against oneself as well as against others. More than half of 250 male and over a third of approximately 100 female alcoholic patients of Warlingham Park Hospital had in the past seriously contemplated committing suicide; 25 per cent. of the men and more than 15 per cent. of the women had in fact made an attempt. Nearly half of the male alcoholics and more than a third among the females admitted that when drinking they had behaved aggressively or endangered others or themselves. In the light of histories obtained from these patients' relatives the real proportions are probably much higher.

Proportion of 'criminals' among alcoholics. Of 121 male alcoholics admitted in recent years to W.P.H.—a public mental hospital whose alcoholic patients come chiefly from social classes I and II—over 20 per cent. had at some time or other been in prison (chiefly for minor offences); one third had been before the courts. Of 40 male homeless alcoholics and 'excess drinkers' admitted to a London observation ward over 40 per cent. had been in Court or prison; of 27 male homeless alcoholics and 'excess drinkers' living in a London reception centre—mainly social classes V and IV—12 (approximately 45 per cent.), mostly inadequate psychopaths, had been in prison (1). Among 30 male alcoholics—mostly

[1] Based on a talk given to the 'Crime—A Challenge' Society, Oxford University, in May 1957.

[2] I wish to express my thanks to Professor E. M. Jellinek and to the *Quarterly Journal of Studies on Alcohol* for permission to use Professor Jellinek's questionnaire; and to Miss K. C. Tracey, formerly Sister in Charge of the Neurosis Unit at W.P.H., for her help in abstracting the Pinel House case histories.

from social class III and with a home of their own—admitted to a London observation ward, one-third had been before the Courts and one-fourth had come to admission because they were held to be a danger to others.

Thus, in samples of alcoholics drawn from different sections of the population, the majority had never been in prison, despite a history of excessive drinking over many years. Though inebriety by releasing aggressive tendencies is a contributing factor to crime (2), the great majority of alcoholics never get into serious conflict with the law.

Proportion of alcoholics among criminals. Up to 60 per cent. of all criminal offences were in the past often attributed directly or indirectly to alcoholic intoxication. However, Banay's study in Sing Sing Prison (2)—in Jellinek's (3) opinion 'the first truly relevant investigation of the rôle of alcohol in crime causation'—showed that inebriates did not form more than 22 per cent. of the prison population. Taking into consideration the nature of the burglaries committed by the alcoholic prisoners, the finding that assaults—the main crime amongst the inebriates—were more in the nature of 'brawls', and the fact that among the sex crimes exhibitionism was more prevalent than rape among the alcoholic prisoners, Banay concluded that 'the contribution of alcoholism is greater in the minor than in the major crimes'. In this country Norris (4) found that in 10 per cent. of 970 receptions in 1939 to an English provincial prison, drink had actually been responsible for the crime and he concluded that 'criminals, as we see them in this country, are not commonly addicted to alcohol'. Among 1,000 male admissions to Broadmoor a history of excess alcohol intake was detected in 121 (Hopwood-Milner, 1940 (5)), 'in 58 of whom alcohol was the main, if not the only causative factor.' Among homeless men admitted to a London observation ward more than 40 per cent. of the 40 excess drinkers had been in court or prison as against only 17·5 per cent. of 90 men who were not excessive drinkers, but the drinkers' crimes were generally of a petty nature, those of the 'non-drinkers' more calculated frauds (1). Heavy drinking is obviously a hindrance to the professional criminal as it hampers his preparations and coolness (Buckmaster Report (6)).

The discrepancy between earlier studies of crime, which suggested that alcohol was responsible in 60 per cent. of cases, and Banay's finding of approximately 25 per cent. may partly be due to the failure of the earlier investigations to 'differentiate essentially between the criminal who is also an inebriate and the inebriate who becomes a criminal' (7), between criminals who drink to excess and 'those victims of drink driven to crime' (8), between 'alcoholic criminals' and 'criminal alcoholics'. Among criminal inebriates one finds, apart from the 'symptomatic, essentially

psychotic drinkers and a large proportion of stupid (mentally defective and dull) drinkers' (8), alcoholics who commit crimes 'under the influence' of alcohol or alternatively as a result of marked moral and ethical deterioration brought about by habitual intemperance over many years and under the compelling urge to get drink at any cost. But such people are 'outweighed numerically by criminals showing criminal tendencies before they become inebriates' (8). Yet an attempt to wean even hardened alcoholic criminals is well worth while as excessive drinking makes it harder or impossible to reform the criminal, and Hansen and Teilmann obtained 'some favourable results' with a well planned therapeutic programme at a Danish institution in 'severely alcohol-damaged criminals' serving long sentences 'in spite of the additional handicaps of deviating personalities and criminal careers' (9).

Among alcoholics one sees many different personality types. Close analysis of alcoholics' drinking histories may enable a fundamental division: occurrence of gross drinking behaviours and reactions to drinking at a youthful age may point to more severe personality maladjustment (Jellinek (10)). Thus among male alcoholics seen at W.P.H. the great majority of those who had shown asocial or anti-social conduct had not done so until after a decade of excessive drinking: frequent drunkenness occurred first at an average age of 24 years, asocial and anti-social acts at 34. The majority of these patients did not enter hospital for 'alcoholism' until middle age. But in a minority of younger alcoholics symptoms of grave portent had set in at a much earlier age: thus at the age of 24 years 25 per cent. of the male patients had experienced alcoholic amnesias, 20 per cent. had 'lost control' over their drinking, were frequently drunk even in daytime and had begun to act anti-socially. In this minority personality maladjustment probably preceded and may have been responsible for excessive drinking, whereas in the majority heavy alcohol intake, continued over many years, preceded and probably paved the way for anti-social actions. Most of our younger patients fell into the 'psychopathic' category (as described by Henderson-Gillespie (11)) and relapsed quickly after discharge; most of the middle-aged alcoholics (who form the bulk of alcoholic patients seen in mental hospitals in this country (12)) were not psychopaths and maintained a marked improvement (13).

Mental Health Problems in Alcoholics' Children

Probably much more important than the connection between alcoholism and the crimes committed by the alcoholic himself is the relationship between a parent's alcoholism and his children's insecurity. The com-

monest causes of a child's maladjustment are said to be found in his life at home, 'in the emotional relations between the child and the other members of his family' (14). A parent's alcoholism cannot fail to have a far-reaching influence on his children's personality development. The alcoholic's behaviour necessitates a continual readjustment by all members of his family to his unpredictable actions, bringing about a 'family crisis' (Jackson (15)). At an early stage of this 'crisis' the children begin to show emotional disturbances; later on they become more severely disturbed, being torn in their loyalties between the parents when the mother takes over control of the family in place of the alcoholic father.

Some effects of an alcoholic's behaviour on his family are indicated by replies given to a questionnaire by some 200 male alcoholic patients (a fifth of whom were single). Two-thirds of the total number admitted 'unreasonably resentful behaviour' and had been reproached by their wives for their drinking habits; in more than one-third drinking had necessitated a change of habits of the whole household; a fifth had felt in the past that any neglect to which they might have exposed their families was justified, and had been jealous of their wives. All these symptoms and reactions had first occurred at an average age of 35 years. These statements obtained from the alcoholics themselves clearly underestimated the problem, for social histories taken from their wives showed a completely disrupted family life in almost all cases, characterized by continual quarrels and emotional upheavals, mutual recriminations, threats of separation and temporary reconciliations, and acts of brutality in a small minority. More than one-third of our male alcoholics and nearly two-thirds of the females were divorced or separated when they entered hospital. In most of the remainder the marriage was on the verge of a break-up, and it was in fact the partner's threat of leaving home which in many cases brought the alcoholic to the hospital. Thus excessive drinking as an alleged causal factor was reported in more than 20 per cent. of a sample of approximately 1,500 Philadelphia divorce cases 1937–1950, drunkenness by the husband in approximately 25 per cent. of 60,000 cases of desertion and non-support in Philadelphia 1915–1949 (16). Straus and Bacon found divorce and separation several times more frequent among inebriates than among the general population (17).

A parent's alcoholism thus very frequently destroys the 'natural home group', disturbs the parent-child relationship, produces 'broken homes' and 'deprived', 'affectionless' children. The vicious circle described by Bowlby (18) may be set in motion: to-day's deprived, neglected children may grow up into tomorrow's psychopathic, neglectful, unstable parents who are again unable to provide a normal home life for their children.

Roe (19) estimates the incidence of mental and nervous disorders in children of alcoholics as 20 per cent. (of alcoholism in 20–30 per cent.) and 'an appreciable number' of sons of alcoholics have turned up later in the neuro-psychiatric wards of hospitals for treatment of emotional disorders (20). In 31 cases out of a total of 236 neurotic (non-alcoholic) patients who in the past few years entered the Neurosis Unit at W.P.H. the father was described as a heavy or excessive drinker (13·1 per cent.). In a series of 200 cases of attempted suicide recently described by Batchelor and Napier (21), 116 (58 per cent.) came from broken homes; the most frequently found factor was alcoholism in the father (43 cases), alcoholism in the mother was present in 14 cases.

Alcoholic Parents and Juvenile Delinquency

Stressing 'the evil effects of the many mental traumata inflicted on children in their early years by the alcoholism of one, if not both, parents', Bovet (22) describes the circle set up by a child's insecurity—of anxiety, aggression, guilt, anxiety—as 'without doubt one of the most constant psychological forces for crime, and especially for juvenile delinquency' and says that alcoholism has a well established reputation for causing delinquency.

Many delinquent boys come from homes with marital disharmony or where parents are divorced (23). Among several other factors found to be 'indubitably much more numerous in the families of delinquents than in those of the control group' (S. Glueck (24)) were 'faulty emotional parent-child relationships of the first few years, such as the lack of parental affection, hostile or erratic disciplinary practices, lack of supervision, family disunity'. Such faulty relationships are unfortunately the rule rather than the exception in the case of alcoholic parents who, at least for long periods, may well be described as '. . . unfit to be effective guides and protectors or desirable sources of emulation and the construction of a consistent, well balanced, and socially normal superego', *i.e.* as the type of parent found much more frequently among the parents of delinquents than of non-delinquents (24).

Parental drunkenness (whilst not synonymous with alcoholism, drunkenness is of course a very frequent occurrence in alcoholics), described by Burt (25) as the commonest feature of the 'vicious home', was found by him to be three times as frequent among families of delinquents as of non-delinquents. Epps (26) found alcoholism of a parent in 27 out of 300 cases of female delinquents in Borstal institutions. This percentage is identical with that of 9 heavily excessive drinkers among parents of 100 young delinquent girls sent to a London remand home and seen at

the W.P.H. Child Guidance Clinic (the real proportion may have been higher as among the brief histories there were often only very meagre data regarding the parents).

Cases where alcoholism had led to outright cruelty to children, to marked child neglect or to extreme poverty were very rare among alcoholics seen at W.P.H. One has to remember in this connection that personal relationships are held to be more important to the child than material circumstances (23) and furthermore that in some respects our case material is not representative of the total alcoholic population of this country (12); it contains, for example, only a small proportion of alcoholics coming from the poorer, less intelligent and less well educated strata of the population. Gibbens and Walker (27) concluded from a recent study of the cases of 32 men and 7 women convicted of cruelty to children with violence that although 'drunkenness plays a lesser part in these offences than expected' alcohol was nevertheless a 'very important factor'. In five of the 32 men there was a family history of alcoholism with marked instability in the father. Nearly half of the cruel parents came from homes that had been broken before their adolescence. Among the 21 cruel fathers classified as mentally normal there were three 'alcoholic aggressives', one an 'alcoholic aggressive dullard' and six severely unstable who were also 'sometimes heavy drinkers'.

An American study 65 years ago estimated alcoholism as entering as a social problem into 25 per cent. of the cases of poverty requiring relief, 37 per cent. of pauperism and 45·8 per cent. of child neglect (28). According to more recent American figures approximately 20 per cent. of cases assisted by social charity agencies drank excessively (29). Conditions in this respect are probably quite different now from those reported 65 years ago and alcoholism is now much less prevalent in this country than in the United States.

Conditions under which problem families may emerge resemble those seen at times in the homes of the more psychopathic, less intelligent and poorer type of alcoholic. Thus 'the two most important factors in the development of the problem family state' have recently been said to be 'the weak, psychopathic personality of the father, and the vicious circle which comes into play as a result of father's failure, bringing with it rejection and condemnation by neighbourhood and officials, marital disharmony, undermining of wife's mental and physical health, accumulation of debts (30). 'By far the most important weakness' among these factors is held to be the 'psychopathic personality' which is said often to show 'a compulsive need for oral satisfaction, whether in the form of sweets, cigarettes or drink' (31).

The alcoholic parent is often neglectful, unkind and rough but at other times he may be very understanding and affectionate. The impact of the alcoholic father's behaviour on the development of his children may therefore differ 'qualitatively' from that of a father who is 'just rough, unkind and indifferent', as pointed out by Newell (32) who gives two case histories of delinquent boys with 'confused father images'. The possibility that intermittency and inconsistency of love may have very special repercussions on conduct' was referred to in a recent editorial of this journal (33). Surprisingly often our alcoholic patients, in spite of the manifest failings of their own alcoholic fathers, had identified themselves with them rather than with 'nagging' mothers (a point which further illustrates the emotional difficulties confronting the wife of the alcoholic). The ambivalent attitude of children towards the alcoholic father is also shown by the occasional finding—not infrequent in our experience—that daughters of alcoholic fathers marry alcoholics. Such observations once more bear out the fact that alcoholics even in advanced stages still have qualities and traits capable of arousing affection in their children.

The risks threatening the growing child's emotional development do not solely arise from the alcoholic's attitude but also from the reactions of his wife. Bewildered, embittered and frustrated, angry or anxious, she may for example try to satisfy her own unsatisfied emotional needs by over-attaching her son to herself, or alternatively her marital unhappiness may lead her to 'reject' the child. At any rate it is clear that the alcoholic's drinking habits may cause a fundamental disturbance of the marital relationship, with its chain of reactions exposing his children to the threat of emotional deprivation, neglect and cruelty (nowadays the children of alcoholics are probably endangered much more by the risk of emotional neglect and mental cruelty than by their physical counterparts) even if in the case of the alcoholic the emotional neglect of his children may be characteristically not persistent but alternating with periods of affectionate understanding behaviour. Under the inconsistent conditions so often characteristic of an alcoholic household it is difficult to imagine the children undergoing normal emotional and social development and acquiring the capacity to experience satisfactory emotional relationships. Rather could one expect among them reactions and difficulties manifesting themselves, for example, in the shape of neurotic symptoms, behaviour disorders, delinquency, etc. The all-important early detection of emotional neglect of children is in general a very difficult task, but its frequency in the case of an alcoholic's family makes successful treatment of the alcoholic an important prophylactic measure in regard to the threatened maladjustment of his children.

The importance of faulty *father-child* relationships, paternal rejection, deprivation and inadequacy has been referred to repeatedly in recent issues of this journal (21, 33, 34). However, the influence of an *alcoholic mother* on the personality development of her children may be even more harmful than that of the alcoholic father. Bleuler, for instance, found a high number of maladjusted children in the presence of alcoholic parents, 'particularly if the mother is an alcoholic' (35). Among alcoholics women are in the minority, and of the female alcoholics seen at W.P.H. only a few belong to age groups under 30 (36). Relatively more of our female alcoholics were separated or divorced than of the males, and often the husband had found it necessary to send the children out of the home even when it had not yet broken up altogether.

The Effect of the Alcoholic's Rehabilitation on his Family

The view held by the public as to the chances of successful treatment of alcoholics is unduly pessimistic. A great many of them can and do recover. Among several hundred alcoholics seen at W.P.H. two out of three have maintained a considerable degree of improvement (36) for periods now extending to five years. Whereas results were best in the middle-aged married patient with good pre-alcoholic personality there was some improvement of relationship with wives and children even in several psychopathic alcoholics. In most cases where separation had been imminent, and in some of those where it had already taken place, arrest of the alcoholic's insobriety led to a happy and continuing reconciliation. The return to more normal patterns of family life was described again and again by wives of alcoholic ex-patients attending the group meetings of alcoholics' relatives at W.P.H. Successful rehabilitation of the alcoholic should prevent or alleviate the emotional harm done to his children. According to a recent report, in two-thirds of cases of maladjusted children, with the main cause of maladjustment in the home or the school, the symptoms disappeared when suitable alterations were made (37).

McPeek (38) sees 'the key to juvenile drinking, as the key to juvenile delinquency with which it is often associated' . . . in the distortion of what should be a wholesome family (and) in the kind of community life which surrounds the disintegrated or disintegrating family. The real problem does not appear . . . to be either inebriety or delinquency, but rather the problem of eliminating their causes in the family and community, which are usually the causes of physical and emotional ill-health.'

Bovet (22) enumerates among measures aimed at the prevention of delinquency the treatment of 'even slight psychological disorders affecting the parents' and the prevention of conjugal conflicts. Mentioning in this

connection specifically the factor of alcoholism he regards 'the problem of prophylaxis (as) vast' and emphasizes 'the gravity of the danger of alcoholism and the urgent need for combating this most pernicious mode of social intoxication.'

An American study of two groups of children, one of alcoholic and one of normal parentage, brought up by foster parents, showed that the children of alcoholics made satisfactory life adjustments as adults after having been placed in foster homes, in spite of disturbed early years. It was therefore concluded that alcoholic parentage does not preclude good adjustment and that 'the reported high incidence of alcoholism and psychosis in the offspring of alcoholics is not applicable on the basis of any hereditary factor' (Roe (19)).

Conclusions

The average alcoholic is not a criminal and does not come into serious trouble with the law. The great majority of alcoholics who commit asocial or anti-social acts do so only after many years of excessive drinking.

The alcoholic's intemperance continued over many years leads to grave consequences for his whole family. It seriously endangers the sound personality development of his children by producing an unhealthy emotional climate at home in which the children are unable to find security. Complications and reactions such as emotional instability, psychological disturbances, maladjustment and delinquency may follow. Rehabilitation of the alcoholic is followed by improved relationship with his wife, thus removing breeding grounds for the child's insecurity.

Alcoholism should be a challenge to medicine rather than the law. The long period that elapses from the onset of prodromal signs before some alcoholics fall foul of the law provides ample time and opportunity for recognition and treatment.

The connection alcoholism-psychopathy and crime may be uppermost in many people's minds and thereby contribute to the attitude of defeatism and therapeutic nihilism. The connection between the parent's alcoholism and the child's insecurity is frequently overlooked and this contributes to the apathy which generally surrounds the subject of the treatment of alcoholics. There is no reason for the defeatism and no excuse for the apathy.

REFERENCES

(1) Glatt, M. M., and Whiteley, J. S. 1956. *Mon. Psychiat. Neurol.*, **132**, 1.
(2) Banay, R. S. 1945. In 'Alcohol, Science and Society.' New Haven. p. 143.
(3) Jellinek, E. M. 1945. In 'Alcohol, Science and Society.' New Haven. p. 150.

(4) NORRIS, F. E. 1941. *Brit. J. Ineb.*, **38,** 112.
(5) HOPWOOD, J. S., and MILNER, K. O. 1940. *Ibid.*, **38,** 51.
(6) 'The Social and Economic Aspects of the Drink Problem.' London. 1931.
(7) HIRSH, J. in THOMPSON, G. N. (Ed.) 1956. In 'Alcoholism.' Charles C. Thomas. Springfield, Illinois. p. 35.
(8) HAGGARD, H. W., and JELLINEK, E. M. 1950. 'Alcohol Explored.' Doubleday & Co., New York. p. 163.
(9) HANSEN, A. J., and TEILMANN, K. 1954. *Quart. J. Stud. Alc.*, **15,** 246.
(10) JELLINEK, E. M. 1946. *Ibid.*, **7,** 1.
(11) HENDERSON, D. K., and GILLESPIE, R. D. 1950. 'Text Book of Psychiatry.' 7th Ed. London: Oxford Univ. Press. p. 388.
(12) GLATT, M. M. 1955. *Brit. Med. J.*, **2,** 1029.
(13) GLATT, M. M. 1955. *Lancet*, **i,** 1318.
(14) Leading Article, *Brit. Med. J.*, **1,** 217. 1956.
(15) JACKSON, J. J. 1954. *Quart. J. Stud. Alc.*, **15,** 562.
(16) KEPHART, W. M. 1954. *Ibid.*, **15,** 63.
(17) STRAUS, R., and BACON, S. D. 1951. *Ibid.*, **12,** 231.
(18) BOWLBY, J. 1951. 'Maternal Care and Mental Health.' W.H.O., Geneva. p. 78.
(19) ROE, A. 1945. In 'Alcohol, Science and Society.' New Haven. p. 115.
(20) *Connect. Rev. Alc.*, **6,** 9. 1954.
(21) BATCHELOR, I. R., and NAPIER, B. M. 1953. *Brit. J. Delinq.*, **4,** 99.
(22) BOVET, L. 1951. 'Psychiatric Aspects of Juvenile Delinquency.' W.H.O., Geneva. Pp. 40, 54.
(23) 'The Adolescent Delinquent Boy.' Report of the Joint Committee on Psychiatry and Law. *Brit. Med. J.*, **1,** 1256. 1951.
(24) GLUECK, S. 1956. *Brit. J. Delinq.*, **7,** 92.
(25) BURT, C. 'The Young Delinquent,' 4th ed. Univ. of London Press. p. 99.
(26) EPPS, P. 1951. *Brit. J. Delinq.*, **1,** 189.
(27) GIBBENS, T. C. N., and WALKER, A. 1956. *Brit. J. Delinq.*, **6,** 260.
(28) Committee of Fifty. 'Economic Aspects of the Liquor Problem.' 1899. Quoted from Wilson, M. R. *Brit. J. Ineb.*, **37,** 180. 1940.
(29) MURPHY, A. J. 1945. In 'Alcohol, Science and Society.' New Haven. p. 239.
(30) RANKIN, T. G. 1956. *Case Conference*, **3,** 94.
(31) IRVINE, E. E. Quoted from Rankin, T. G. (30).
(32) NEWELL, N. 1950. *Quart. J. Stud. Alc.*, **11,** 92.
(33) Editorial, *Brit. J. Delinq.*, **8,** 2. 1957.
(34) ANDRY, R. G. 1957. *Ibid.*, **8,** 34.
(35) BLEULAR, M., cited in THOMPSON, G. N. (Ed.) 1956. 'Alcoholism.' Springfield, Illinois. p. 19.
(36) GLATT, M. M. 1955. *Brit. J. Addict.*, **52,** 55.
(37) Ministry of Education. Report of the Committee on Maladjusted Children. H.M.S.O., London. 1955.
(38) MCPEEK, F. W. 1944. *Quart. J. Stud. Alc.*, **4,** 568.

JUVENILE DELINQUENCY IN PROBLEM FAMILIES IN CARDIFF

By HARRIETT C. WILSON (Cardiff) [1]

Introduction

There is general agreement in criminological literature that delinquency is not a specific abnormality, but that it is a symptom only which may occur in conjunction with a variety of underlying causes. These may be predominantly in the mental field, or they may be found primarily in the environmental field. From a study of earlier research on juvenile delinquency (briefly discussed in paragraph 2 below) and a preliminary ten per cent. sample survey the writer was led to formulate the following hypothesis:

One specific variety of juvenile delinquency is found in conjunction with very poor home conditions and the unplanned, haphazard way of living that has been observed in problem families. The pattern of living of problem families generates juvenile delinquency.

Implications of Previous Delinquency Research

Sociological literature concerned with the aetiology of delinquency, and of juvenile delinquency in particular, has focused on the correlation between poverty and delinquency. Burt (1925), in the first enquiry which made use of a control group, showed that over half of the total amount of juvenile delinquency in London was found in homes that were poor or very poor. Bagot (1941) found in Liverpool that 85 per cent. of delinquents lived below standards which were considered necessary for the bare essentials of a civilized life. Mannheim (1948) found in Cambridge that delinquents came from the poorer strata of the community. Ferguson (1952) found in Glasgow that delinquency was greatest in families where the male wage earner was an unskilled labourer. In the United States, too, delinquency research has brought out the high correlation between crime and poverty. S. and E. Glueck (1950) for that reason chose an

[1] The writer is greatly indebted to the numerous statutory and voluntary bodies who allowed statistical use to be made of their records and in particular to the Medical Officer of Health and the Chief Constable of Cardiff.

underprivileged neighbourhood in Boston for a large-scale enquiry into causation. In their comparison of delinquent boys with non-delinquent control groups from the same neighbourhoods they were able to show that the physical and economic conditions of delinquent families were on the whole worse than those of the non-delinquent families.

The high correlation between poverty, slum-area living, and delinquency has led to various attempts, mainly in American literature, to present theories of causation. It is questionable whether the writings of the ecological school as exemplified by Shaw and McKay (1942) are very useful in an interpretation of the British scene. The Cambridge study by Mannheim (1948) showed that concentrations of delinquency are not correlated with physical deterioration of neighbourhoods. Similarly, Morris (1956) found in Croydon that the nature of the physical environment appears to be irrelevant in a study of delinquency areas. Spencer (1954) argues the same point and goes on to say that in Bristol 'the incidence [of delinquency] seems to be similar to the distribution of problem families'.

The ecological argument, which postulates a direct causal connection between deterioration of physical environment and delinquent behaviour, has been modified by the inclusion of the term 'normlessness' or *anomie* as derived from the writings of Merton (1949). Greenwood (1956), in a review article of Lander's work in Baltimore, points out that by relating delinquency to the concept of *anomie* Lander has managed to break away from the sterile conception of economic determinism in criminological literature.[2] A new orientation was offered by Cohen (1956), who limits his field of investigation to the 'working-class sub-culture' and who interprets delinquent behaviour no longer in terms of physical environment or of normlessness, but in terms of a blending of psychogenic and sub-cultural factors within a limited cultural setting.

The realization that the commission of a delinquent act must be fitted into a set of moral beliefs prevailing in the social group has led British investigators to ask what the moral standards are of the sub-culture that is predominantly delinquency-producing, and, beyond that, what the actual customs are of the neighbourhood. Is the delinquent to be seen as an adjusted or a maladjusted individual within his group? Mays (1954) in a study of a delinquency area in Liverpool found that delinquency in the docks area had become 'almost a social tradition'. In a study of a small town near Nottingham, Jephcott and Carter (1955) investigated the social background of delinquents and offered an important qualification to Mays' thesis. Although there are certain high-delinquency areas in a town, they

[2] See *Brit. J. Delinq.*, VI, 2, 160. (Ed.)

found that 'contiguous and similar-looking working-class streets might live by different codes and have different habits'. It is to be hoped that these findings will finally dispose of the ecological argument. Delinquency in slum areas is not a behaviour pattern acquired by all young people who happen to live there, but it is generated by very inadequate home conditions, as demonstrated by Jephcott and Carter. Mack (1955) in summarizing delinquency research concludes that 'further comprehensive research . . . should undertake an investigation of family life . . . [and] concentrate in the first instance on family disorganization.'

Description of the Cardiff Survey

(*a*) *Considerations governing the choice of families for investigation*

As has been pointed out above, recent research findings in this country have narrowed down the correlation of slum area with delinquency to that of the inadequate home in the slum area with delinquency. The next step in research must, therefore, be an investigation of the type of home described by Jephcott and Carter, independent of its situation within or outside the slum area. If it can be demonstrated that delinquency exists in such a home wherever that home is, and the rate of delinquency in such homes is higher than the rate prevailing in the neighbourhood, then such evidence would demonstrate that this particular brand of delinquency is home-centred, and not area-centred.

The willingness of the Local Authority to put its files at the disposal of the writer offered an opportunity to investigate the records of the administrative services dealing with families who, for various reasons, fall below the standards generally expected of them. These families have been loosely grouped under the heading of 'problem families', and although interest in them has existed in administrative and other quarters for some considerable time, mainly owing to their failure to conform to acceptable patterns, this interest has been heightened with the recent awareness of the community's responsibilities towards its children. The establishment of co-ordination committees, which was advocated in 1950 by the Joint Circular of the Home Office, the Ministry of Health, and the Ministry of Education, to prevent the ill-treatment and neglect of children in their own homes, brought problem families into the limelight.

A recent publication by Philp and Timms (1957) critically examines the literature concerning this social group. They point out that no useful definition of the group has so far been given, although the literature abounds in descriptive material. There is general agreement on the heterogeneity of the group, although certain characteristics are found in many of its constituent families. They offer the following statement by Barclay

as typical: 'The characteristics are financial mismanagement and debt, child neglect both physical and psychological, dullness and delinquency of the children; but by no means all of these are present in the case of each problem family.' The authors point out that investigators have so far been hampered by a confusion of issues of essence and performance. Furthermore, no detailed and exact descriptive studies or aetiologies are in existence.

A preliminary examination of the cases referred to the Cardiff Co-ordination Committee confirms the views expressed by Philp and Timms concerning the heterogeneity of the problem family group. Referral to this committee is based on individual discretion. No clear definition of what constitutes a problem family is supplied to the referral agent; to the health visitors (the main referral agents in Cardiff) this means of necessity an adjustment of their standards to those prevailing in their districts. Furthermore, there are other statutory and voluntary bodies referring cases, all of whom approach the problem from their own specific angle.

In a sociological analysis of a group that has no specific or unique features but has in common only the characteristic of performance-inadequacy, a delineation must be attempted in negative terms. Any families *not* exhibiting certain characteristics would come within the classification. To single out inadequacy of performance necessitates the formulation of adequacy of performance. There appear to be two guiding criteria in judging the adequacy of performance of a family in the British welfare state. The primary criterion is that of health coupled with hygiene, the secondary one that of solvency coupled with planning. The children's health and cleanliness are closely linked with their diet, their clothing, the equipment of the house, the mother's ability to budget, and finally, of course, the father's working capacity and working record.

In the light of these criteria the writer devised a symptom-analysis schedule containing twelve headings which ranged from the father's work record, budgeting, state of the house, home-making abilities of the mother, cleanliness and clothing of the children, school attendance, to debts. The schedule covered a five-year period, so that any earlier information contained in the files could be entered. No information concerning delinquency was included. Information was gathered about the families not only from the files of the Co-ordination Committee, but also from files of other statutory and voluntary bodies. In addition, each family was interviewed by the investigator in order to make certain personal assessments. The teachers of the school children were interviewed. To counteract bias in assessments of a subjective nature, a separate interview sheet for three workers personally acquainted with the family was completed for each family. This

elicited information mainly concerning intra-familial relationships and personality assessments. While the latter source did not yield as much information as had been hoped, the files contained a wealth of material, often extending over a lengthy period. Care was taken to enter on the symptom-analysis schedule only information which was either based on fact, easily verifiable, or assessed by at least two workers who had known the family for a considerable period. Any family showing five or more negative features on the symptom-analysis sheet was classified as a problem family for the purposes of the investigation. This method eliminated a number of marginal families and ensured a considerable degree of homogeneity of performance of the research set.

(b) The findings of the investigation

All families referred to the Co-ordination Committee from its inception in 1952 until January 1955, a total of 157, were examined. Of those, 47 families had moved or were broken up, which left 110 families. With the help of the symptom-analysis sheet 52 of them were classified as problem families. Of the 52 problem families 40 had boys above the age of eight. Criminal records for each member of each family were searched for in the Criminal Records Department. As was to be expected, delinquency rates amongst boys were much higher than amongst girls, and in this paper boys only will be considered.

TABLE I

Comparable three-year delinquency rates for boys

(Number of boys per thousand committing indictable offences in a three-year period)

	Age 8–13	*Age* 14–17
National average (Grünhut, 1956) .	39·0 per 1,000	51·0 per 1,000
Cardiff average (Grünhut, 1956) .	50·6 per 1,000	67·5 per 1,000
Problem families in Cardiff . .	422 per 1,000	492 per 1,000

In Table I are shown the delinquency rates (indictable offences only) per thousand juveniles in two age groups for the nation and for Cardiff, as estimated by Grünhut (1956) for the three-year period 1948–50. In contrast to these are shown the delinquency rates of boys from problem families in Cardiff (indictable offences only), based on the three-year period 1953–55. As delinquency rates have fallen since 1951, it cannot be urged that a period favourable to the thesis advanced in this paper

has been chosen. Grünhut gives the rate per thousand per three years for boys aged 8–13 as 50·6. The comparable figure for problem family boys is 422. For boys aged 14–17 in Cardiff Grünhut estimates the three-year delinquency rate to be 67·5 per thousand. The figure for boys from problem families is 492 per thousand. (The final digits of the numbers for boys from problem families are without statistical significance, but it seems preferable not to round them off.)

In Table II are shown the actual numbers of boys passing through each age in the problem family survey, and those among them who were found guilty of an offence. For the rest of this paper 'offence' means an indictable offence; or wilful damage; or truancy; or being brought before a court as beyond control, or in need of care and protection arising out of a delinquency. Where offences are counted and not offenders, any 'further cases taken into consideration' were not recorded separately. A single delinquent act was entered, for instance, for a boy who had 28 further cases of breaking and entering recorded against him.

TABLE II

Total boys and delinquent boys in each age group

(*Certain non-indictable offences specified in the text included*)

	Year of age									
	8	9	10	11	12	13	14	15	16	17
Problem families										
Total at risk . .	97	84	74	60	52	46	37	25	18	13
Delinquent . .	9	8	14	12	17	17	13	7	5	7
Per cent. delinquent .	9	10	19	20	33	37	35	28	28	54
Control group										
Total at risk . .	125	125	114	99	79	61	34	18	8	1
Delinquent . .	3	8	5	12	6	9	3	1	—	—
Per cent. delinquent .	2	6	4	12	8	15	9	(6)	—	—

Figure 1 shows the percentage of boys who have been delinquent at some time up to the age stated. Whereas about 9 per cent. of the boys aged 8 have become delinquent, of the boys aged 17 well over three-quarters have been convicted by a juvenile court at one time or another.

FIGURE 1

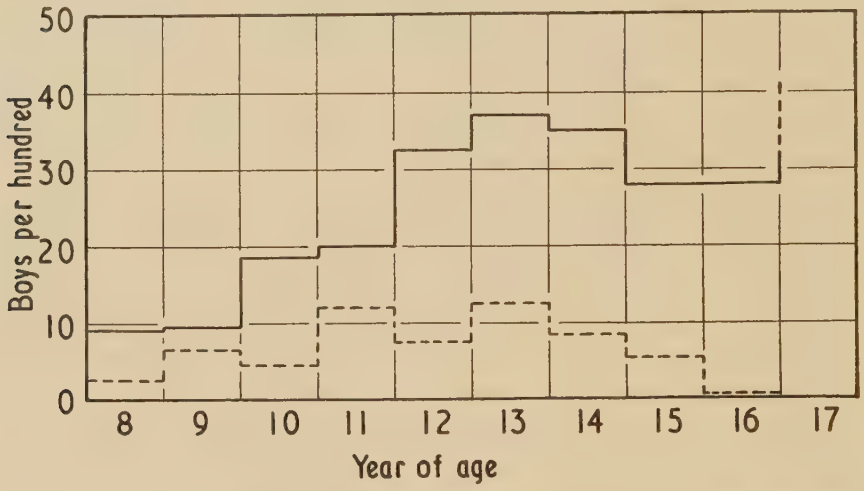

FIG. 1. Boys per hundred becoming delinquent before or during each year of age in Cardiff problem families. (For ease of working the 'year of age' has been taken as the calendar year during which the age stated was attained.)

It was one of the original objects of the survey to compare problem families having delinquent boys with problem families having none. This proved to be impossible. Of the 40 families with boys 'at risk', there were only ten whose children had not been convicted. Seven of these may yet produce delinquents; they are families with one or two boys 'at risk' but aged 11 or under. None of the ten families has boys over 14. It was necessary, therefore, to form a control group by a different method. The addresses of all problem families of the research set were plotted on a map of Cardiff. It was found that about half were widely scattered over the working-class areas and the rest lived in two definite clusters, one of them in a group of concrete houses on a pre-war municipal housing estate, the other in a group of houses near the docks, also owned by the Corporation. (Perhaps surprisingly, this is not the area formerly known as 'Tiger Bay'.) Two control groups were formed by obtaining complete lists from the Education Department of all parents with school children living in the immediate vicinity of the two problem family clusters. One control group consisted of the remaining 103 concrete houses on the estate, the other one consisted of 189 houses (four complete streets) in the docks area. Children 'at risk' were sorted out in the control groups and delinquencies were ascertained in the same way as for the problem families. There were altogether 125 boys in the control groups, and 98 boys in the research set of problem families who were above the age of 8.

Figure 2 shows the percentage of boys of each age convicted during that year of their age. The full line represents problem family boys, the dotted line boys of the control group. The statistical significance in the difference between problem families and controls expressed in figures is: chi-squared is equal to 48·0 with 9 degrees of freedom, which, statistically speaking, is highly significant. (The two control groups were lumped together since chi-squared tests have shown that the differences between the two control groups are entirely without significance.)

FIGURE 2

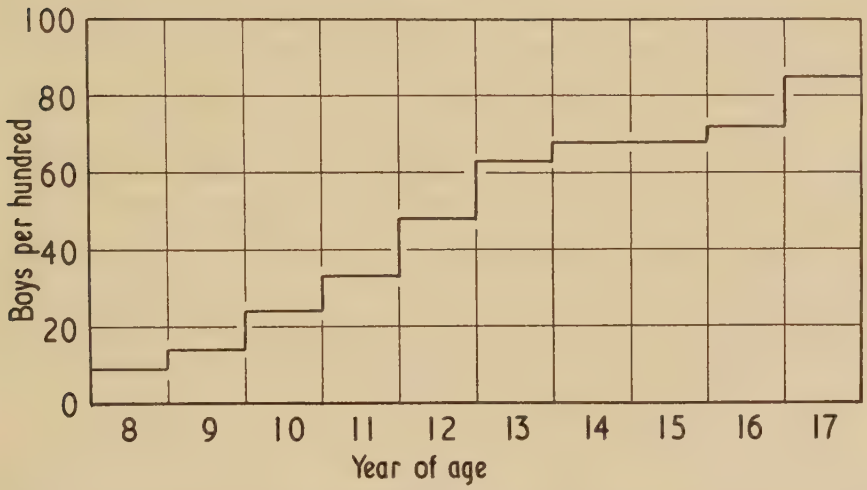

FIG. 2. Boys per hundred committing one or more delinquent acts in each year of age. The full line represents problem family boys, the broken line control group boys. Above age 14 the actual numbers involved are too small to justify detailed analysis.

The rate of recidivism in the control groups is substantially lower than in the problem families. In the control groups 92 of the 125 boys at risk had not had any convictions. Of the remaining 33 boys 19 were convicted only once, and 14 twice or several times. In the problem family group 42 of the 98 boys at risk had not been convicted, and of the remaining 56 boys 20 had been convicted once, and 36 twice or several times. In the control groups the rate of recidivism, as a percentage of delinquents, was 42 per cent. In the problem family group the rate of recidivism was 64 per cent. A chi-squared test shows that the difference is significant at the 5 per cent. level.

Summary of Argument and Conclusions

The investigation into juvenile delinquency in problem families in Cardiff has shown that the rate of delinquency is eight times as high as the general rate for Cardiff, as estimated by Grünhut (1956). It is also well over twice as high as the rate prevailing in families other than problem families who live in the closest vicinity to them. Furthermore, the families living in relative isolation in low-delinquency areas of Cardiff show a rate of delinquency similar to that of those living in clusters in high-delinquency areas. The difference of the rates between the research set and the controls tends to be greater at the higher ages. Moreover, the rate of recidivism per delinquent in problem family boys is 64 per cent., and that of the control group is 42 per cent.

Of the 52 families investigated 40 had boys above the age of 8. Of those only ten families had not produced delinquents, but seven of them had no boys older than 11.

Since the rate of detected crime in Cardiff ranges around 41–45 per cent. of all indictable offences, and 34–35 per cent. of breaking and entering offences, it may be assumed that some undetected delinquents are not entered in the above figures. If anything, the figures presented in this paper are an understatement of the thesis that juvenile delinquency is a component of the problem family syndrome.

The conclusions one may draw from the above figures are:

(i) Juvenile poverty-delinquency is home-centred and not area-centred. This emerges clearly from the comparison between problem families and control groups from the same neighbourhoods. Furthermore, the same pattern of delinquency is visible in problem families who live in comparative isolation.

(ii) Although the problem families were chosen only on a basis of performance-inadequacy, the investigation has brought to light two features which are generally found in problem families and which may be of substantial significance in the aetiology of juvenile delinquency. These features are material deprivation and emotional insecurity of the children.

In all cases investigated there is material deprivation. Whether this is due to long-term unemployment, or irregular work, or low wages in a large family, or mis-spending, the effect on the children is the same. There is not enough money to feed and clothe them adequately, to keep the house reasonably well equipped, and to have something to spare for other things. Over a third of the problem families are practically continuously dependent on National Assistance Board payments. A slightly smaller group contains fathers with an irregular work record, whose incomes are

frequently made up by the N.A.B. The third, rather smaller group, contains fathers with reasonably good work records, but either with very low incomes and large families, or with tendencies to mis-spending, such as heavy drinking or gambling, which have the same ultimate effect.

The daily budgeting battle of all the problem family mothers would be an extraordinary strain even to a woman of reasonable intelligence and a high degree of self-discipline. If Miss Schulz's (1956) Oxford Human Needs Diet Sheet is taken as a model, and if we assume 'that the housewife may be expected to choose intelligently so as to profit by variations in price', there is still no margin for household replacements, clothing, and any extras in the long run. Not only is this assumption an unrealistic one, but in addition the resources of a problem family are overstrained by the necessity of buying durable goods of cheapest quality, of not being able to afford a second article for replacement during repair, and of buying durable goods in the most expensive way by 'check' (weekly instalments).

The second important feature in the lives of the group is the emotional insecurity experienced by the children in the relationships with their parents. One of the objects of the investigation was the ascertainment of the emotional climate in the family, based on the standardization used by S. and E. Glueck (1950) for their Social Prediction Table. A general picture emerged which could be summed up like this: 'The father and/or the mother cannot always be depended upon'. The discipline exercised by the father and the supervision of the mother were on the whole of an erratic kind. The interpretation of this purely descriptive statement in psychiatric terms may be, for instance, psychopathic character of the parent, or emotional immaturity, or it may be simply a mentally very retarded parent, or it may be apathy created by frequent pregnancies, overwork, illness, and constant money worries. Whatever the diagnosis underlying this symptom, there is a great deal of sociological evidence for its existence. The mother takes little or no interest in the children, even, often, to the point of neglecting them, although she may have affection for them, or some of them, at the same time. The children in this setting of extreme material shortages which is not buffered by the parents' caring presence grow up in a very chill wind.

The early needs of the infant are rarely, if ever, fully met. In addition to the normal discomforts of a stage at which dependency-needs are greatest, the infant has to struggle with such discomforts as a highly inflamed bottom caused by infrequent washing and changing, or lying on a wire spring without an overlay, or being fed irregularly and very often inadequately. The problem family infant does not have his needs fully satisfied, he experiences frequent frustrations. He learns at an early stage

that not many people around him can be depended upon. Furthermore, it appears that in this setting the important period of toilet and behaviour training is missed out, in which the child begins to understand the demands of society in the form of the parents' picture of 'the acceptable child' (Josselyn, 1948). The development of the ego-ideal is impeded; there are no generally accepted standards of behaviour in the erratic, unplanned, day-to-day way of living. The child gets no chance to experience the gratification obtained by conforming with the parents' wishes. It develops little or no self-discipline. The initial impact of school life on a child so ill-prepared is so tremendous that it impedes the learning process. These children start school with a handicap, as they lack the background which other children have had before entering school. They are unable to fit into the school routine, or to meet the schools' requirements concerning clean habits. They find it difficult to use their hands, and especially to handle small objects, *e.g.* pencils, small apparatus. Their speech is very poor, and articulation bad. Their clothing is poor and often ill-fitting. They are shunned by their class-mates because of their smell. All these difficulties discourage the problem family child from attending regularly. Absence from school is a major problem in the group. Many parents have been fined in Court, some well over a dozen times. School attendance is not considered important, and absence from school may be actively supported, or otherwise passively condoned by the parents. In the winter there is an acute shortage of clothing and footwear, which may be a reason for not sending the children. It may also be the failure of the mother to get up in time, or there may not be any food in the house for breakfast. The elder children may be kept home to care for the younger ones, or to help in the house. Constant absences from school have a detrimental effect on the children's progress. Furthermore, it is difficult for the child to form a positive relationship with his teacher, the only person in his life who could help him adjust to the demands of society. Restlessness, lack of interests, a general absence of self-discipline, no conceptions of right and wrong round off the picture of an overwhelming sense of loneliness that these boys have to bear.

This sense of insecurity found in the material and the emotional field, coupled with the absence of a set of ideals to live up to, conditions the child from a problem family for a delinquent career.

This picture is of necessity sketchy. The delinquency described in this paper may be differentiated from other types of delinquency by the fact that there is no super-ego development, no conflict situation, no guilt feeling. Treatment of this type of delinquency, therefore, would have to be tackled not by treatment of the delinquent symptom, but by treatment

within the total family situation. It is one of the symptoms of the problem family syndrome.

REFERENCES

BAGOT, J. H. (1941). 'Juvenile Delinquency.' Liverpool.

BURT, C. (1925). 'The Young Delinquent.' London.

COHEN, A. (1956). 'Delinquent Boys.' London.

FERGUSON, T. (1952). 'The Young Delinquent in his Social Setting.' Oxford.

GLUECK, S. and E. (1950). 'Unraveling Juvenile Delinquency.' Harvard.

GREENWOOD, E. (1956). *Social Service Review*, **30**, 147–157.

GRÜNHUT, M. (1956). 'Juvenile Offenders before the Courts.' Oxford.

JEPHCOTT, A. P., and CARTER, M. P. (1955). 'The Social Background of Delinquency.' University of Nottingham (restricted circulation).

Joint Circular from the Home Office, Ministry of Health, and Ministry of Education, (1950), Appendix 9, Sixth Report on the Work of the Children's Department, 1951. HMSO.

JOSSELYN, I. M. (1948). 'Psycho-Social Development of Children.' New York.

MACK, J. A. (1955). *Sociological Review*, **3**, 47–64.

MANNHEIM, H. (1948). 'Juvenile Delinquency in an English Middletown.' London.

MAYS, J. B. (1954). 'Growing up in the City.' Liverpool.

MERTON, R. (1949). 'Social Theory and Social Structure.' New York.

MORRIS, T. P. (1956). *Howard Journal*, **9**, 215–222.

PHILP, A. F., and TIMMS, N. (1957). 'The Problem of the Problem Family.' London.

SCHULZ, T. (1956). 'A Human Needs Diet.' *Oxford Bulletin of Statistics*, **18**, 87–93.

SHAW, C. R., and MCKAY, H. D. (1942). 'Juvenile Delinquency and Urban Areas.' Chicago.

SPENCER, J. (1954). *Eugenics Review*, **46**, 29–38.

THE RESIDENTIAL TREATMENT OF 'FROZEN' CHILDREN

P. DOCKAR-DRYSDALE (STANDLAKE)

The notes which follow are based on my findings during the past seven years at the Mulberry Bush School. The environment in which I have made observations, attempted treatment and drawn conclusions from success and failure is that of a special school for maladjusted children. (Their age range from 5 to 12, of average intelligence.) Various factors have emerged in the attempt to evolve treatment techniques in a residential setting to help what I would like to call 'frozen' children towards emotional development. These factors have caused me to relate these phenomena to a specific type of disaster experienced at the very beginning of extra-uterine life. Treatment based on my conclusions has been sufficiently successful for it to seem worthwhile to discuss its implications.

THEORETICAL APPROACHES

Freud in 'Inhibitions, Symptoms and Anxiety', speaks of the baby's earliest existence in the following terms:— '. . . for just as the mother originally satisfied all the needs of the foetus through her own body, so now, after its birth, she continues to do so, though partly through other means. There is much more continuity between intra-uterine life and earliest infancy than the impressive caesura of the act of birth allows us to believe.'

We believe, perhaps too easily, that a baby is born because it is no longer in utero—no doubt some babies are, as it were, more born than others: but the baby seems to have a second 'intra-uterine' life the length of which will depend on the nature of the particular unity established as a mother/child entity. Barbara Low uses the term 'nirvana principle' which was accepted by Freud and which sprang from Fechner's concept of a tendency to stability. Freud interprets this tendency to stability as a tendency to return to the inorganic, and suggests in 'The Economic Problem in Masochism' that the 'nirvana principle' is therefore enlisted in the service of 'the death instinct'. In 'Beyond the Pleasure Principle' he wrote:— 'The tension then aroused in the previously inanimate matter strove to attain an equilibrium; the first instinct was present, that to return

to lifelessness.' I wish to substitute for 'lifelessness' the word 'selflessness'. I suggest that if a tendency to stability is not regarded as a trend towards a return to the inorganic = 'lifelessness' but towards 'selflessness', the whole concept becomes quite acceptable. There is in this case no further need to visualize the child striving to return to the womb—his goal being, in fact, nothing more distant than his mother's arms. I would like to describe such a very early period of emotional development as a tactile phase—really pre-oral. We believe that in the temporary absence of the mother the baby hallucinates her presence, and it seems unlikely that, unless disaster befalls, the baby feels in any way separate from its mother. This would only arise if the baby had to hallucinate for longer than the hallucination could be held. (Something like the fading out of hypnagogic imagery). Providing that the concept of the unity can be accepted we must then consider the transition from the tactile to the oral phase. I would suppose that the unity exists during the first weeks of life, and that in normal development there is a gradual withdrawal from it, so slow and so gradual as to pass unnoticed, but *made by the child* with support from the mother, until the emergence of 'me-ness', described by Hartmann and others. In the case of normal emotional development it seems unlikely that either mother, baby, or external observer need ever be aware of a stage where the baby is neither part of the mother nor a separate entity establishing a dependent object relationship towards her. The whole problem is so gradual that there need never be what a 'frozen' child, in the process of recovery, once described to me as 'a great gulf'.

Freud has given detailed descriptions of what he calls 'primary narcissism'. He has, however (as far as I know), only made a couple of references to the concept of 'primary masochism'. For example, in 'Beyond the Pleasure Principle' he writes:— 'The exposition I then gave of masochism needs correction in one respect as being too exclusive; masochism may also be what I was there concerned to deny, primary'. And, in 'The Economic Problem in Masochism' he writes:— 'After the chief part of it (death instinct) has been directed outwards towards objects, there remains as a residuum within the organism the true erotogenic masochism, which on the one hand becomes a component of the libido and on the other still has the subject itself for an object. So that this masochism would be a witness and a survival of that phase of development in which the amalgamation, so important for life afterwards, of death instinct and Eros took place. . . . It then provides that secondary masochism which supplements *the original one.*'

Freud links primary masochism with 'the death instinct' and I am sure that this is absolutely correct, although, as he points out, in the course

of development primary masochism is not easily to be observed (in contrast to narcissism). I would suggest that during the unity the mother's narcissism includes the baby and is so great that it far out-weighs any self-destructive tendency, which, in any case, would not be significantly present in the normal mother, having been dealt with long ago, and the baby, as we know, would revive the mother's earlier narcissism, causing her to over-estimate her child. The baby's 'reservoir' of primary narcissism is therefore constantly replenished by its mother from her own store, and the existence of the other 'reservoir' *i.e.* primary masochism, need never become apparent because the narcissistic 'reservoir' does not, as it were, drop its level sufficiently for such an inflow, because of the functioning of the unity. It is important to stress that the mother's share of the unity is a much more sophisticated version, not usually a matter of life and death as it is for the baby, who has no other life but that which he shares with her. The withdrawal of either is felt as an actual loss of self by the other during the period of unity. We know a considerable amount about the mother's experience of a unity. She also is merged, she lives for her child, *i.e.* for herself. We know how much part of her the baby seems, we know how tragically she may react to even his temporary loss as a loss of herself, part of her entity. By the time the unity is finally dissolved and the early object relationship established, the self destructive primary masochism of the baby will be projected on to the mother and the outside world; in other words, aggression against self is projected outwards. Some of this aggression will be experienced as direct aggression, some will return against the self as secondary masochism.

I believe that in the so-called 'affectionless' child, whom I prefer to describe as 'frozen' ('affectionless' sounds final—a thaw can follow a frost) we see the tragic outcome of a disrupted unity, where the baby has been separated from its mother for any one of many causes. We know that in such a case disaster is not inevitable; that another person able to form part of a unity can re-establish this with the baby before it is too late, or better still (as in the case of hospitalization, for example) the mother may be able to re-establish it herself. The disruption of the unity may arise from reality external causes, or it may spring from the personality difficulties of the mother herself, who may be unable to sustain the unity. Our sources of information concerning the other part of a disrupted unity—the baby—must be tapped of necessity in retrospect, in the behaviour patterns, the devices for survival used by the doomed baby, and still used with practically no modification or development by the seven-year-old frozen child.

Every baby, left by himself, will find pleasure and comfort in his own

body. I would assume that he discovers pain in himself at about the same time or a little later (the finger in his eye, the scratched cheek, the pulled hair). In normal circumstances, since his mother is part of himself, there is little difference between pleasure in himself or in her; in fact during her brief absences he uses himself as a substitute for her. Pain, also, he must associate with her as part of himself, so that when he hurts himself, he hurts the whole unity. However, the balance, as we have already said, is sharply tilted in favour of the pleasure side of the scales. The pain the mother is most likely to cause is negative, in the form of absence; should this be prolonged beyond the scope of self-comfort available to the baby he attacks himself and his immediate environment as *the only part of the unity still available*. Should her absence continue he is thrown back for all pleasure-pain experience on his *limited part of the unity*. This is the secondary rôle of his body, which, though complete it itself, is only partial in terms of mother/child unity. The resulting situation is one in which self-pleasure and self-pain are more evenly balanced, the desperate dread of self-destruction and frantic hope of self-preservation being the deciding factors in the subsequent history of such a child.

The baby within the safety of the mother-baby unity of the first months of extra-uterine life can, I believe, in the normal course of development experience sorrow, pain, rage and fear; the unity can support these experiences. However, there may be no need for the baby to take the appalling impact of despair, agony, frenzy and panic. The first group of experiences I would like to call 'inner circle', the second group 'outer circle'. I do not believe that in normal circumstances the 'outer circle' group can break through the unity except for an instant—there are no lasting gaps in the unity mother-child which acts as Freud's 'barrier against stimuli'. There are, of course, comparable groups on the pleasure side, for example, contentment as 'inner circle', ecstasy as 'outer circle'.

Should there, however, be circumstances of either an external reality or of an internal psychic nature to disrupt the unity, then the 'outer circle' can and does break through, and the impact must be sustained. This is what I mean when I speak of a broken unity. Should such a baby develop into a 'frozen' child I have found that he is unable to be afraid—he panics; he is unable to be sad—he is in despair. I have been with children who are consciously feeling sad or afraid for the first time in their lives, and who need much reassurance in what is to them a new experience. The 'outer circle' experiences have, till their recovery, been of infinite duration while experienced.

A baby who is prematurely self-reliant for all emotional experience does not lose the urge to merge back into the original unity. He does not

therefore become a personality within boundaries as a normal child will do (who comes, in the course of maturation, gradually to love the mother as a person separate from himself). The child whom we are considering does not make relationships, he does something very much more primitive, he extends and withdraws himself, so as to include people whom he uses to provide him with pleasure. He also uses them to ward off pain (by inflicting pain on them, as part of himself, rather than on his very self). Should the person whom he has thus enclosed fail to provide pleasure he will immediately withdraw; as in the old nursery rhyme he cries, ' This is none of I '. Withdrawals are often mistakenly regarded as breakdowns of relationships, but there has never been a relationship in the ordinary sense. The behaviour of such children is often described as regressive, when in fact there has been no advance from which to regress.

Clinical Observations

A typical ' frozen ' child in a therapeutic institution presents a curiously contradictory picture. He has charm—that kind of charm which causes people to say ' I don't know what it is about him. . . ." He is apparently extremely friendly and seems to make good contacts very quickly. He is neither shy nor anxious in an interview and in his everyday existence he is usually healthy, clean, tidy and orderly. He is frequently generous and kind to younger children, especially one particular child, and protects his smaller friend against all attacks. In astonishing contrast he may become suddenly savagely hostile, especially towards a grown-up with whom he has been friendly. He will fly into sudden panic rages for no apparent reason, in which he smashes and destroys anything in his vicinity. (I have known it to be necessary for three adults to control a ' frozen ' child in one of these states of frenzy.) He is a disturbing element in class—a storm centre—and frequently has acute learning difficulties. Sometimes he seems to build a high wall between himself and other people, impossible to scale or to break through. He steals, lies and destroys relentlessly, and without the slightest indication of remorse. It is common to hear workers remark, ' It's impossible to believe it is the same child '. He may manage even in such a period to continue to show kindness and protection to a particular younger child, but equally he may be cruel to him. (In this connection he is always either cruel or wildly over-indulgent to animals which appear afraid of him.) Repeatedy improvement is reported, hopes are raised, it is claimed that he is making a relationship at last, but each time disaster follows, until finally he becomes intolerable to his environment. The longer the period of supposed improvement the more drastic the break-down, so that experience teaches one to think in terms of lull and storm,

rather than maturation and regression, or recovery and deterioration.

There is another side to the picture equally disquieting. The 'frozen' child is of necessity delinquent, and he may easily become a 'delinquent hero', who gives permission to the other members of the group to break in, steal or destroy. His own lack of remorse, the fact that he can do these things without emotional discomfort, has the most disastrous effect upon any other than the most integrated group. In general, too, the fact that he usually has a current façade relationship has a disrupting influence on an unwary treatment team. (It is very trying to hear the constant comment, 'But he is never like that with me'—which, in fact, only means that his negligible frustration threshold has not yet been reached, the first 'No' has yet to be said.) There often seems to be a conspiracy between child and adult in which the adult is as willing as the child to be unaware of the doppelgänger—this monster which suddenly appears instead of the charming child, and as suddenly vanishes.

This is the picture presented at 7, at 12—at 16; there need be no change of pattern, although at 7 the techniques for living this way of life are more apparent than at 16 because less skilled. Evidence must be looked for in acting out within the environment. There is very seldom any internalized phantasy material available. Observing such a child's behaviour one asks oneself how he can contrive to be utterly without remorse or scruples: how can he exist in this state of high tension? We know that he cannot risk being left short of satisfaction for an instant, because the moment that the level of his pleasure drops, pain will flow in. Having withdrawn from frustration he must therefore use any means in his power to maintain the pleasure level since postponement of satisfaction cannot be risked. It follows naturally that such means will inevitably tend to be delinquent. Should, however, the larder door be locked, grown-ups' pockets be empty, windows securely latched, then crisis will follow, and the second type of 'merger' will take place—when in the effort to keep himself from self-destruction he will attempt to destroy his environment (as an extension of himself).

Supposing however that, as is usually the case, delinquent means *are* available, how, moral scruples apart, does he ignore inevitable consequences?—disciplinary measures, disapproval, exclusion from the group? The 'frozen' child leads a highly organized and disciplined life—but the organization and the discipline are pathological. There are certain modifications which he has made and it is precisely these which make it possible for him to maintain some sort of equilibrium.

In the first place he has achieved what Fritz Redl terms 'reality blindness'. He does not merely deny that he has done some delinquent or

aggressive act, he does not himself know that he has done it. He cannot afford to be aware of any steps he takes to obtain satisfaction, for him there is no gap between instinctual need and the satisfaction of that need. Perhaps it would be more correct to describe this in a more active way as 'selective perception' rather than 'reality blindness'. One recovering child told me recently, 'I could look at a speck on the wall and not see anything else in the room, and I could always do this with everything.'

Secondly, he has no concept of time. There can be no past to regret, no future to consider, he lives in a present. He has another safety valve which I have come to think of as 'the reality annexe'. This is represented by an adult, usually on the fringe of the child's environment, whom he uses in a very special way. On this person he uses all his charm, but makes no demands, carries out no reality testing. Frustration never has to be tolerated, because he asks for nothing. Instead he satisfies his wishes by delinquent means within his environment, leaving the figure in the reality annexe intact. This provides him with a person who can remain perfect so that, when forced to withdraw from one of his extensions by the threat of frustration, he has this almost unreal figure—not in the immediate situation—to serve him until he can arrange the next extension. Peter, with such a 'reality annexe' B., stole money from us and with it bought presents which he described to us as having been given to him by B. When I showed him what he was doing he broke down in panic, was finally reassured and able to tell me that he now realized that he had constantly done this, giving many examples, and explained, 'I can't ask for fear they say "no", so I don't ask, I just get the things and then they have given them to me.'

The child whom he takes under his wing is an extension of himself, his indulgent attitude is in fact self-indulgence, just as his cruel and punitive treatment of the same child is equally extended-self directed. (We can see here how close the rôle of protégé lies to that of scapegoat.) His rôle as delinquent hero secures him material for storm raising, which he does when he is intent on keeping his violence away from himself; on such occasions he is capable of reducing a reasonable group of children to a howling destructive mob. These are all attempts to achieve synthetic unities; he is totally unaware that he uses these techniques—how can he be described as responsible for them?

During the past seven years we have tried to help thirty such children. At first we admitted 'frozen' personalities into our group of forty behaviour problems without realizing the implications. We mistook these children for neurotic delinquents, and they caused a great deal of havoc and unrest among staff and children until we gradually became aware of

the nature of the problem. We are frequently puzzled as to why certain children are *not* frozen. I know of several cases where, though apparently there was no mother substitute, actually a little child has been able to become part of a true unity, of infinite depth although only of brief duration, which we were actually able through fortunate circumstances to restore. Unfortunately, however, such brief though deep experiences have been interrupted, so that they tend to be a repetition of the original trauma. It is interesting in this connection that Freud expresses his understanding of trauma as being a state of helplessness.

We have slowly evolved techniques for the treatment of 'frozen' children which appear to be successful: we have seen actual changes in their personalities resulting from a particular approach. Indications of conflict have appeared leading to dependence on us with evidence of deep depression and anxiety (real signs of emotional recovery, since it has long been realized that a delinquent character can only become normal through the experience of a neurosis.)

There seem to be two stages of the depressed period. The first is general and applies to every sphere of the child's existence. He will often become ill, will be apathetic in every situation and sit with tears running down his cheeks. He tends to retire to bed, sits quietly—but with no sign of intellectual interest—in class, and altogether presents a tragic picture; this we call an 'unfocused depression'. The second part of the depression presents a different picture. This stage is focused on that person with whom the child is now making a primary bond. When this second stage of depression has been reached it is not any longer apparent in every field; the child begins to make educational progress and becomes quite worried and anxious in various fields. There is, however, the deepest possible attachment to the grown-up of his choice, and in the absence of this person for any length of time the most desperate anxiety is expressed. Disapproval from the special grown-up has become intolerable, and there is evidence of a reaching out, leaning on, dependence. Providing that this second stage can be reached, there is little likelihood of reversal as far as we can see. The earlier stage is, by no means, so established and the child may revert to the previous delinquent behaviour pattern described. The second stage of depression and the type of dependence on the grown-up concerned appear to me to have a different significance from that of a transference situation in the usual sense. I would suggest that precisely because this is a primary experience there is, in fact, no transference involved since there is nothing to transfer. We have, however, had occasion to notice that several of these children who have left us, either to go home, or to another school, or to children's homes, appear to make a transference to a parent

figure in the new situation. With regard to the first stage of depression, I am quite certain that this is a 'state of mourning' for the loss of the unity; the realization that this is something which cannot be regained. It was at such a point that a little girl said to me: 'I feel that there is a great gulf which I cannot cross, so now I must go on.' This would represent an experience never really known in normal development, where a baby has ceased to be part of the mother without yet having formed an object relationship to her. The second stage of the depression represents, I think, the establishment of this object relationship. However, it is absolutely essential that the 'frozen' child shall go through the first part of the depression, because at some point or other during this he faces the fact that he has lost the unity for ever, that this cannot be regained. During the later part of treatment (*i.e.* the second stage of depression) where such a child has become an anxious sad little creature, deeply dependent and infantile, one sees him now and then attempting to use the old mechanisms which now, of course, no longer function because he has ceased to be 'reality blind'.

An interesting point which has only struck me recently is that it is remarkable how 'frozen' children who are making a recovery remember most vividly the primary experience through which they have just passed, and they themselves speak of the nature of the mourning and loneliness experienced in the first depression. One child said to me 'I knew then that I had really been born'. These memories seem to remain extremely vivid, so that several years later children have referred to them, when they have come back to see us. There does not seem to be any amnesia involved, and the memory seems to remain conscious and with very little distortion.

Treatment for this special group is on educational therapeutic lines. At no point is one justified in being merely permissive with a 'frozen' child, one must be controlling, disapproving but not rejecting, approving but not seduced into serving as an extension of the child. At first the behaviour pattern is most carefully observed and reported, until constant repetition of the pattern has made it familiar to the therapist. Next, interruption is introduced, this involves breaking into a behaviour pattern at a critical point, in order to make the child aware of what he *has* done, *is* doing, and *plans* to do. A next stage is reached when the first signs of a pattern can be recognized. Each child has a sort of signature tune, which becomes familiar. Interruption now takes place at so early a stage that I think we are justified in speaking of *anticipation*.

James was filthy—he had, I knew, been completely changed an hour before. However, this was his 'signature tune'; he always became dirty before a burst of delinquency. I said quite simply, 'James, go and get clean, you don't have

to break in and pinch.' (We knew each other rather well by this time.) He departed to matron and presently reappeared clean and tidy. 'All right', he said, 'have you got a job for me instead?'

Michael played his particular 'signature tune' (a dysrhythmic tapping). I collected him, and pointed out that there was a storm brewing. 'How do you know?' he demanded. I explained, referring to previous occasions, 'You know, I've never noticed', said Michael. We agreed that he would notice from now on, that the tapping would now be a danger signal for him as well. Then we discussed the whole situation, and took measures to avert the storm.

I said to Philip, 'I won't let you hurt George.' I held him and he bit himself—very hard. 'Now see what you've made me do', he screamed. I had not been quite quick enough on this occasion; I had prevented him hurting George but had not anticipated the inevitable attack on himself.

When interruption or anticipation is used correctly, acute disturbance is felt by the child, and he needs a great deal of support and reassurance. He will do everything in his power to close the gap which has been made in his defences. His response to early interruption is panic and rage, often with actual suicidal threats. If, however, the gap can be kept open, by steady interruption and anticipation, used in the context of his everyday life, then the next stage may be reached, at which he returns, as it were, to the chaos beyond which he has had to isolate himself. Here we meet the first unfocused depression, to which I have made reference, which affects every field of the child's life; during it he re-experiences the loss of the unity and faces the fact that this cannot be restored.

It is at this stage that a sort of bond can be achieved with the therapist, the child becoming utterly babylike, dependent and trusting, completely vulnerable and helpless. It is from this point, and I would assume only from this point that he can slowly become loving and loved as a complete person. (This is the second stage of the depression, where it becomes focused on the therapist.) One such recovering child is with us at present. He said a few nights ago, 'This bed has an edge like me—but I can put out my hand and hold yours!' This same little boy calls kisses 'edges'. 'Give us an "edge"', he demands, 'I like "edges". They show where I stop and you start.'

I should like to add one example of a particular aspect of the problem which I have described, namely unawareness of inconvenient reality, and of the measures taken to change this perilous technique for living employed of necessity by frozen children.

John (who was nine years old, of average intelligence) had a history of early separation from his mother; there was now the usual picture of a child unable to make relationships, with a severely delinquent behaviour pattern, aided by reality blindness, and a highly developed speed of movement (a sort

of sleight of person!) One night, just as he was leaving the bathroom, he threw a clean towel into the bath (which was full). The worker in the bathroom at the time had, by chance, seen this, and called him back to retrieve the towel. John, of course, did not pay any attention and proceeded singing on his way, after a casual shout of 'No, I didn't.' He knew, by now, nothing about the towel in the bath. It so happened that I was at the top of the stairs, so taking his hand I said, 'Come on, John, we'll go back together and you can take the towel out of the bath—it's quite safe to know you've done it.' John, usually very cool and tough, became pale, trembled and screamed terrified obscenities at me. I carried him back to the bathroom kicking and shrieking. I assured him again that he really had put the towel in the bath. He continued to scream, and screwed up his eyes. I stayed with him, holding him solidly, reaffirming the facts, and re-assuring him, till at last, dreadfuly afraid and trembling, he took the towel out of the water. Even now he turned his face away so as to avoid seeing what he was doing. Then, quite suddenly, he gave a great shuddering sigh, wrung out the towel and hung it on the side of the bath. After which he turned to me a transfigured and radiant face and ran into my arms. I carried him upstairs, tucked him up in bed and he sank almost at once into a deep sleep, still holding my hand.

Recently, John, who had failed to break into the larder, threw a stone at another child, and flitted round the corner of the house. Having comforted the victim of the attack, I picked up the stone, followed John, and held it out to him saying, 'This is the stone you threw at Peter.' He stood stock still, staring at the stone, then with great hesitation took it from me and turned it over gingerly in his hand. Finally he said, 'I'm able to hold it, aren't I?'

Recently a child came in sobbing. While I was soothing him, John appeared at the window. 'It was me what done it', he said, 'an accident, I'm sorry.' He spoke very quietly and softly, as though afraid to over-hear himself.

This child, in becoming instantly unaware of having thrown the towel into the bath, was using the reality blindness which had become so much part of him that he unconsciously employed this defence in every aspect of his life. The therapist, by bringing the defence to a conscious level, made a gap, which produced panic which the therapist then relieved by offering steady support and help to face reality. Constant and consistent repetition of such interruption and protection brought John to a point at which he could hold the stone without panic. Finally we see him at a stage at which he can allow himself to be aware of his motions, although he now rationalizes, *i.e.* 'an accident!' In the meantime he has changed from a bright hard young tough—a 'wild one' in the making, to an anxious little boy, stormy, difficult, but deeply attached to a teacher whose approval he values and whose disapproval causes him pain. In conclusion, it is my opinion that the psychopath leads a continuation of the desperate existence precariously maintained by the 'frozen' child.

TREATING THE UNWILLING PATIENT

By MELITTA SCHMIDEBERG (New York)

Many psychiatrists only want to treat patients who are adequately motivated for therapy. Such limitation excludes the majority of offenders. Offenders as a rule only come for treatment unwillingly, under the pressure of their probation or parole officers, or as an alternative to jail, and they are difficult to treat. Yet society has a stake in changing them, even though they themselves have little wish to change. By excluding the 'unwilling patient' psychiatry limits its scope, and it will only be able to make an important contribution to social problems if it succeeds in developing methods to motivate and treat the unsatisfactory patient.

The lack of motivation in these patients is not just due to ignorance or to distrust of the psychiatrist—it is the result of their whole mentality and anti-social attitude. They are not motivated for treatment because they have no serious wish to change, because they prefer to remain anti-social, and because they have a peculiar inability to foresee realistically the consequences of their behaviour. Thus, lack of motivation stems from a disturbance of their reality sense and from their failure to socialize. Hence, to motivate a patient is not only a pre-condition for treatment, but implies a correction of faulty attitudes and is already the first step in therapy. To motivate him we try to develop, or strengthen, in him the attitudes the average person has, namely: (1) increasing his awareness of the consequences of anti-social behaviour; (2) strengthening whatever social attitudes and potentialities he has; (3) developing personal attachment that can be used to socialize him; (4) teaching him to solve his problems and gain satisfaction in a social manner; (5) developing his abilities and self control. Therapeutic dependence is a legitimate aim, as long as it is utilized to make the patient social and normally self-sufficient.

We can learn much from the concept of probation. Probation is not just casework in an authoritarian setting. While classical casework and psychotherapy with neurotics are essentially unidirectional, probation is a delicate balance of complex and, to some degree, contradictory attitudes of threat and help, of supervision and encouragement, of understanding and authority, eminently suited to the peculiar mentality of the offender. Any of its aspects can be intensified or underplayed as the situation and the probationer's state of mind demand. He must be checked in one

area, or at one moment, and encouraged in another one; sometimes almost simultaneously. His interests, attachments and activities should be developed and guided into right channels. It is the art of a good probation officer to turn the enforced relation into a genuine one, and to use the personal attachment as a socializing force.

Though the professional situation of the psychiatrist is a somewhat different one, essentially he has to employ the same ingredients if he wants to be successful with an offender. Fear alone does not create a genuine social attitude, but neither does humouring. It is hard to treat patients against their will; yet, unless they are put under pressure, they are not likely to come.

In my function as Chief Psychiatrist of the Intake Committee of APTO (Association for Psychiatric Treatment of Offenders, New York), I see offender patients referred to us by the Courts and social agencies, in order to refer them to our therapists. My purpose when interviewing them is not primarily a diagnostic one but to motivate them for therapy. The patients, who are mainly sent by their probation officers or the Court clinic, have already been well prepared by their officers, with whom they often have a good relation—as good as they are capable of having; with others treatment is often a condition of probation, *i.e.* an alternative to prison. Yet, in spite of all this, I often have to give the patient three appointments before he comes, because he fails to turn up for the most fatuous reasons, and every time he fails to come I have to notify the probation officer who then has to contact and persuade the patient anew, and after I have referred him to a therapist he may repeat the same game. When I see him in the initial interview, I try to establish contact by showing interest in and understanding of his problems, highlighting the trouble he might get himself into and also giving him hope so that he can handle his problems more constructively with the help of the therapist. Before the interview I need factual information from the probation officer, as most offenders tend to underplay or deny their offences and explain away their convictions. I must also have some knowledge of law, the working of the courts and the structure of and life in institutions, so as to be able to assess the situation adequately and impress the patient with my knowledge. My favourite approach is: 'I just cannot understand how somebody of your intelligence can get himself into so much trouble', varying this theme in as many ways as possible. In other words, I try to (1) highlight the trouble he has got himself into and point to the future; (2) give him the feeling that I am to some degree on his side; (3) imply that he has ability and a chance in life. I use any lever I can to evoke some emotion. My manner is interested and not too detached, and I see most offenders

in my private office, where I see also my non-delinquent private patients.

A few days ago I interviewed a 19 year old boy, and after having discussed with him his juvenile delinquency convictions, his stay at the training school and his present probation (I corrected some of his statements by referring to the probation officer's version), I pointed out that the next trouble would mean going to jail, with which statement he agreed. Then I added: 'You see, the judge is reluctant to send young people to jail. Your probation officer would be unhappy about it. I am doing what I can to prevent it, yet you are the one who will mind it most. So it is strange that you are not more concerned about it.' After that, I said that he had not made the most of his brains, that he did not finish school, and that it was a great pity that he was only qualified to hold an unskilled job. We discussed how he could improve his education, adding that treatment should help him to persevere or succeed better. I inquired about his girl, listened to him praising her for a while and saying that he was in love with her. Then I stressed what a terrible blow it would be to her if he got arrested again, and also that a girl with such assets would not like it if he had only a poor education, and ended by saying: 'You want to have a happier marriage than your parents had (they are separated) and think what that does to the children.' He agreed that he wanted to bring up his children right.

Sometimes it is more effective psychologically to ask a question and force the patient by answering it to think about the issue, rather than to state it myself. A somewhat hardened offender claimed that he did not mind jail. I asked him after a while, in another context, what the prison was like where he was on remand, and he burst out, 'I would not wish it to my worst enemy.' I merely commented that it was a much better place that most jails, and that a sentence of several years is very different from a short stay.

I appeal to any social attitude, even vaguely present, and try to build on it. A Catholic patient told me about his sexual offences. I merely said: 'Then you cannot go to confession?' He agreed. I said: 'That is hard on you.' At times a brief remark is more effective, while rubbing it in too much antagonizes the patient. An 18 year old who committed a hold-up did not finish school and had not been working for two years. He told me his friends called him 'the ape' and he looked like a gangster in the movies. But, he said, his father was a guard in the bank and a 'great guy' (an unusual statement for a delinquent). I asked him how his father felt about his offence. He said: 'I am going to tell you. When my father heard it, he burst into tears, he pleaded with the judge, he cried, and when he took me home, he beat me up.' To my question, 'Did you deserve

it?' he said, 'Yes.' He told me his father got up at 4 a.m., his stepmother at 6 a.m. 'And you?' I asked. He said, ashamed, 'At noon', and when he left he assured me he would look for a job.

The peculiar characteristic of the offender is that he manages to deny his fear of jail and his guilt over his anti-social behaviour. This is largely achieved by 'neutralizing mechanisms', such as dwelling on social injustices and other people's faults. To counter these mechanisms is an important therapeutic task and helps to motivate the patient. A 31 year old man who had spent half his lifetime in penal institutions was sent by his probation officer. He told me about the City Mental Hospital and complained bitterly about the poor quality of the psychiatric services. After a while I said: 'You are right; psychiatric services in New York are deplorable, but you are not here to reform them. You have made a mess of your own life.' After that he listened to me.

The probation department asked me for a diagnostic opinion as to whether a certain patient was dangerous. He had been convicted for two cases of first degree rape, had been in the prison ward of the mental hospital where he was aggressive, and he had spent some time in the institution for the criminally insane. Subsequently he was put on probation with the condition of treatment, but when he was sent to a psychiatric clinic the psychiatrist recommended institutionalization and shock treatment. After talking to the patient for a while, I asked him whether he knew why I was seeing him. He did not. I told him the facts and he became very perturbed. I told him: 'Good. It is high time that you realized the seriousness of the situation.' He asked me what my recommendation would be. I said that for the time being he did not need to be institutionalized, stressing the 'for the time being'. I managed to get him so perturbed that he asked me several times whether he could get treatment and I eventually agreed. He subsequently rang me, saying that he preferred a psychiatrist of his own religion. Now it is up to this psychiatrist to motivate him further.

Motivating the offender for therapy and character-change is teamwork, and all the people concerned should work together toward this end. Usually the greatest help is the legal situation, and whenever it is possible I ask the Court to defer sentence in order to give the patient the chance to undergo psychiatric treatment. While sentence is pending, the patient is usually more co-operative than when he is merely on probation, and often sentence can be deferred more than once. This period must be therapeutically utilized, to gain some attachment, insight and socialization, so that when the pressure is removed the patient still continues treatment.

In treatment, I take advantage of every situation that arises and I

utilize every person I can to help me to motivate the patient. An exhibitionist contacted me after four years of very perfunctory treatment by another doctor. During this time he had been convicted of two offences and was charged with two more. His therapist had discontinued treatment in indignation, his wife had walked out on him. The patient was naturally very crushed and grateful to me for taking him on. I pointed out how justified the other doctor's reaction was. I explained to him in detail why his wife had walked out on him and the seriousness of the legal situation; otherwise, I was friendly. I quickly gained his attachment and he claims that he is completely sincere with me, while he was continuously untruthful with his last therapist, defied and distrusted him. Moreover, I asked his lawyer to impress on him the seriousness of the situation. At Court in my presence the lawyer said: 'John, I'll do what I can to get you off, as I have done before, but even if you have to go to jail you should accept it as punishment you deserve, and not in a spirit of defiance, and when you come out, you should continue treatment or you will mess up your whole life.' I went to Court for him, promising I would do what I could, but I added that if he committed another offence I would do nothing to prevent him from going to jail. I explained to him how his childish defiance was the basis for his unsatisfactory relation to the doctor and also motivated his offences, and I stressed the irrationality of this attitude that only hurt himself. In other words, even when I gave analytic interpretations they were motivationally slanted, so that they should make him feel ashamed and motivate him to fight this form of defiance, while indicating the many ways of asserting himself that were socially desirable. I pointed out one situation after another where he had failed to take responsibility, again in such a manner as to make him want to do so.

Motivating is a constant process in therapy which must continue until the patient has changed sufficiently. Every aspect in the patient's life, his possibilities and failures, the people he is attached to and other persons' examples can be utilized. I often use analogies from other patients or stories I read for this purpose. An analytic knowledge of dynamics is necessary for assessing the patient's personality and the ways in which he may adjust, the changes that can reasonably be expected and the steps by which these changes can be expected to occur. I use whatever influence I have, or whatever positive and negative incentives I can mobilize and utilize, to bring about these changes, and I make use of life situations and of help from others. The co-operation with the probation officer is invaluable. If I help the patient I do not do it merely for practical reasons or to support him emotionally, but use the help I give as a lever to increase my influence, and in return make demands on the patient, openly or

implicitly, to make an effort in therapy and life towards adjustment.

Always in therapy, and in particular with offenders, the therapist's own values play an important part. In order to socialize offenders he must combine a positive social philosophy and a fundamental acceptance of social values with a fair degree of tolerance towards the lawbreaker whom he tries to change. If he condemns him out and out, he cannot treat him; if he condones his offence, he cannot change him.

RESEARCH AND METHODOLOGY

(*Continued from Vol. VIII, p.* 294)

CURRENT RESEARCH. LV. PSYCHOLOGICAL CORRELATES OF RECIDIVISM.

(1) *Name of the University Department, Hospital or other Institution or private person supplying the information:* Institute of Psychiatry, University of London.

(2) *Subject of Research:* This study attempts to define certain personality traits of recidivist prisoners. Tests given are of two kinds: (i) Objective laboratory tests concerned with such factors as speed and strength of formation of conditioned responses (eye-blink conditioning); these have been chosen because of their known correlation with personality factors and their theoretical relevance. (ii) Questionnaires, such as the Maudsley Personality Inventory; these have been chosen because they are known to measure, in a rough and ready fashion, personality features such as neuroticism and extraversion which may be relevant to recidivism.

(3) *Under whose auspices is the research being carried out?* University of London. Professor H. J. Eysenck, Ph.D. *Research Worker:* J. Field, Ph.D.

(4) *Commenced:* October, 1957. *Completion expected:* October, 1959.

(5) *Publication:* No results so far published.

CURRENT RESEARCH. LVI. WHITE COLLAR CRIME.

(1) Dr. J. C. Spencer. University of Manchester.

(2) A study of white collar crime, divided into two parts: a general section consisting of an examination of the concept, a study of available literature, and a discussion of some of the problems involved; a special section consisting of field work based on a sample of white collar offenders.

(3) As Simon Senior Research Fellow, University of Manchester. Dr. J. C. Spencer.

(4) October, 1958—*Completion expected:* October, 1959.

(5) No results so far published.

CURRENT RESEARCH. LVII. A STUDY OF A PRISON COMMUNITY.

(1) Terence Morris, B.Sc.Soc., Ph.D. London School of Economics.

(2) A sociological study of a large city prison, concerned especially with the inter-relation of social groups of an informal kind and their effects on the formal structure of the community. It will also be concerned with the processes of

'prisonization', the transmission of prison values, and more general problems of communication and conflict between the constituent groups in the community.

(3) Criminological Research Unit, London School of Economics, Director: Dr. H. Mannheim; and Home Office. *Research Workers:* Dr. T. Morris, Mrs. P. Morris.

(4) July, 1958. *Completion expected:* Autumn, 1960.

(5) No results so far published.

NOTES AND CRITICISMS

The Preventive Detention Hostel Experiment

When a man is given a sentence of Preventive Detention he is initially returned to his local prison. There he is located and enters the First Stage of his Preventive Detention sentence. His treatment at his local prison is that of an ordinary prisoner; he has no additional privileges to those applicable to the ordinary class of prisoner. The longest time a Preventive Detainee can serve in the First Stage is two years, and normally he is promoted to Second Stage before this period has elapsed. A report on his behaviour, and suitability for Second Stage, is submitted at the end of 12 months, and thereafter, if it is necessary, every three months. On being granted Second Stage, the Preventive Detainee is removed to the Allocation Centre at Wandsworth Prison. There his social background, criminal history, personality and temperament are studied by a specialist staff, including a psychologist. He is there allocated to a Preventive Detention central prison where he enters Second Stage proper.

There are several central prisons which house Preventive Detainees, and the Allocation Centre Board decides which particular one is best suited to the needs of the man before it. One central prison caters for the older type of man who is negatively inadequate rather than positively anti-social. Others cater for the type of man who is likely to benefit from skilled trade training at different levels. Those not allocated to the smaller establishments mentioned above go to Parkhurst Prison on the Isle of Wight.

A sentence of Preventive Detention is of greater length than the sentence normally imposed as a punishment for a specified crime. This longer period is designed to withdraw the individual from society for society's protection. It follows that the later stages of Preventive Detention should be custodial rather than punitive. Security considerations are of primary importance, but when these have been fulfilled it is desirable that a regime raising the standard of living from local prison conditions be provided.

Life for a Preventive Detainee in Second Stage compares favourably with life in a closed training prison and has advantages over local prison conditions. The Preventive Detainee need not spend any time at all in his cell from breakfast time to bed-time, unless he desires to do so. His work, and other activities, are carried out in association, and life in Second Stage is very much a communal affair. Meals are also eaten in dining halls. Opportunities for football and other outdoor sports are provided and these games are played at week-ends. Other spare time activities include gardening, and the Preventive Detainee may cultivate his

own allotment. He can have his own wireless set in his cell, and is given facilities to carry out model making and other suitable hobbies, also in his cell. Additional letters and visits are among other advantages enjoyed in Second Stage. Advantages of this kind extend to payment for work, and a 50 per cent. bonus over and above normal prison earnings is operative. Finally, a full programme of evening classes exists. This follows the pattern of evening education in other prisons.

A Preventive Detainee will, if he is not selected by the Advisory Board as suitable for Third Stage, remain in Second Stage until he has completed five-sixths of his sentence, when he will be released on licence. The Advisory Board consists of three members of the Board of Visitors, a Prison Commissioner, and the Chairman, who is a Metropolitan magistrate. In deliberating a Preventive Detainee's suitability for Third Stage, the Board considers not only the man's current behaviour, but also—and this is more important—whether the man has any inclination or determination to mend his ways in the future. The Board have available full case papers of the man before them.

When a Preventive Detainee is granted Third Stage he will have not more than 12 months to do before the completion of two-thirds of his sentence, at which point he will be released on licence. During the first three months in Third Stage the man will remain at his central prison, but in circumstances of modified security and relaxed supervision in a part of the prison set aside to cater for Third Stage men. His work will normally be outside the prison walls. If he has shown at the end of three months that he is reliable, he is then transferred to the final stage at the Hostel.

The Bristol Hostel is situated within the grounds of Bristol Prison inside the wall. It consists of a small wing of 12 bedrooms, and it has also a common room-cum-dining room, a kitchen and bathroom. The bedrooms are small but, depending on the current occupant's ingenuity and inclination, can be transformed into comfortable bed-sitters. As each man is allowed to keep all his personal possessions, except certain valuable property, portable radios, pictures, bedside lamps and other modest luxuries are very much in evidence. The common room-cum-dining room is split into two parts; on one side of the room dining tables are set out, and armchairs, book-shelves, and radio transform the other half into a reasonably attractive lounge. The room is curtained and carpeted and the only evidence of prison is wire netting placed over the windows. This is placed on the inside, and the idea is not to keep the hostellers in, but to keep out ordinary prisoners, using the surrounding yards during the day. The kitchen has a cooker and facilities for cooking a meal, and men can and do implement their diet with additional food brought in by them from outside, and prepared in this kitchen. Cakes, signalling a birthday or some other auspicious date, have been baked with varying degress of success. The outside door of the hostel has a token lock—nothing more.

When notification is received at Bristol from the central prison, via the Prison Commissioners, that a man is ready to participate in the hostel scheme, a number of preparations have to be made. At the time of notification full particulars of the candidate are sent giving, as well as particulars of his record and character, such other information regarding his work and outside interests as will be helpful. It is necessary that a job should be found before the candidate can take up his vacancy. It is also advisable to contact, if possible, such persons or organi-

zations as will help to introduce him to the outside cultural or recreational activity of his choice. Measurements of his clothing requirements are sent so that such working clothing and other articles as he may need are ready awaiting his arrival. When a job is found for him, his central prison is informed, and he is transferred at once. On the day of his arrival (he does arrive under escort) he is met by the Hostel Warden. He is given a meal, and is then shown his room, given his key and has his clothes fitted. Particulars of his dependants are elicited from him so that the National Assistance Board can be informed. If his employer wishes to see him before he starts work, he is taken to meet him; National Insurance cards and Income Tax forms are provided and are ready. The hostel rules and all the opportunities are explained to him. He is then given a 10/- advance on his pocket money and he is free to go out for the rest of the day, or evening as it usually is. He generally arrives so that he can commence work the next day or, at the latest, the day after.

It will be perhaps easier to understand if the broad basis of the system is explained in this manner. A Preventive Detention hosteller is a man completing the last few months of a long prison sentence, but, to all intents and for all purposes, he can be regarded as an ordinary working man earning the ordinary rate for the job he is doing; living away from home in a hostel where he has to comply with the rules, but maintaining his family. He goes out to work in the morning, has lunch with his workmates on the job, returns to a meal in the evening, and then goes out to pass his spare time as he wishes, provided, of course, his spare time activities comply with the spirit behind the scheme.

What sort of jobs do these men do? Briefly, the best job the man is capable of undertaking. He may be a labourer, a fitter or an engineer, a building tradesman or a factory hand; he is found a job according to his ability. Employers, Ministry of Labour and National Service and Trade Unions all co-operate and show a refreshing and stimulating interest in this scheme. When the man is earning he is paid in the same way as any other employee. However, he is expected to bring his pay packet, unopened, back to the hostel and so deliver it up. The wages are broken down in this manner: he is charged £2 a week for full board, less a midday meal; he is given £1 a week pocket money, plus his bus fares to his place of work, and 1s. 6d. a day midday meal money. He takes over from the N.A.B. the responsibility for supporting his wife and family. The remainder of his wage is placed in a Post Office Savings Bank Book, and this book he receives when he is finally released. Such extra clothing as he may need he is allowed to purchase from his earnings on application. Extra purchases are not allowed, unless it is a case of genuine necessity. The reason for this is that a Preventive Detainee, after a long time in a restricted atmosphere, often feels that he wants to blossom out, and, regrettably, few Preventive Detainees could be charged with being careful with money. So often one hears of the initial financial difficulties which a recidivist runs up against, and the shortage of hard cash on release. The bank book to a Preventive Detainee is an insurance, although he does not often see it in that light at the time. With a decent sum behind him—and most save nearly £100, some nearly £200, before release—he can face the immediate future with some confidence.

When a man is completing a long sentence of imprisonment in conditions of modified security, such as at Bristol Hostel, his spare time pursuits are a matter

of some importance. It is especially important that a man's interest should be caught and held rather than that he should be ordered how and where to pass his leisure hours. A great deal can be achieved in assisting a man who generally has no idea how to spend his evenings usefully and enjoyably.

If he is provided with good contacts a man often finds new and interesting fields of recreation and enjoyment which he previously had no idea existed—or existed for his indulgence. As pocket money is not lavish, at Bristol two nights a week are set aside for what is termed, for lack of a better phrase, ' approved activity '.

Hostellers are free to come and go as they please five evenings a week to places of their own choosing. This usually means the pub, a cinema, a floodlit football match or some such diversion. The remaining two evenings a hosteller is expected to take advantage of a range of activities at his disposal. This list includes evening institutes, lectures, concerts, hobbies and even caters for enrolment in civil defence units. It also includes Church fellowship organizations, Toc H., British Legion and Society of Friends, and finally, invitations to homes in Bristol—homes of friends made at work and through any of the foregoing activities. A hosteller merely informs the warden any evening of the week that he is going to a friend's for supper, or to Toc H., or whatever the case may be, and off he goes. Should he not take part in this two nights a week project he may stay in the Hostel and read and listen to the wireless—or he may entertain a friend, or friends, in the Hostel.

From time to time hostellers arrive at Bristol who spend much more time in public houses than is beneficial. This state of affairs comes to light in different ways. Having spent his own money a man may begin to sponge. In such circumstances he is seen and advised; pressure of the right sort can be brought to bear by his fellows, and often is. The Hostel is very much a social unit and its good name is so far a jealously guarded possession. Finally, each hosteller knows that in the last resort he could be sent back to his central prison where he would be reduced in Stage and condemned to serve 5/6ths of his sentence.

Home leave is allowed during works holidays. Each man pays his own fare, and is allowed £1 a day subsistence from his earnings for the duration of his holiday. This seems to have excellent results with married men with families. Older men, without ties or a home to go to, are accommodated, usually in a better class hostel, by arrangement with the Church Army or whoever runs it. This is not satisfactory really, as the man has no friends or relatives and becomes bored and lonely. The only absconder from home leave did so in these conditions. A man may bring his wife and family down to Bristol for a week-end, when he is allowed to be away from the Hostel from Saturday until Sunday. With help he finds his own digs, or a hotel. This idea of playing host to one's own wife, and giving her a really enjoyable and comfortable week-end, has caught on, and it is enlightening to see mature men, reputedly hard cases, planning such a week-end for their wives. Flowers, chocolates, comfortable accommodation with morning tea in bed, apparently work wonders with sceptical and care-worn wives. One hosteller brought his wife to Bristol to celebrate their wedding anniversary, paying her fare and arranging for a Hostel version of V.I.P. treatment. On her return home the wife wrote to me saying how much she had enjoyed her stay; she confessed she thought the change wrought in her husband was little short of miraculous. Prior to her coming to Bristol she had mixed feelings about the future

However, this glimpse of long-forgotten affection and tenderness from her husband, something which had been missing in their later difficult and almost catastrophic years of married life, had made her feel fit to cope again, and she felt that she wanted to share very much in the fresh start her husband so anxiously waited to make.

W. PERRIE.

THE YOUNG OFFENDER IN BRITISH COLUMBIA INSTITUTIONS [1]

The training of the young offender sentenced in an adult court is the responsibility of the Attorney-General's Department of the British Columbia Provincial Government. There is provision for a sentence divided into two parts, definite and indefinite. Either portion can be for any period up to two years less one day (the day short of two years is stipulated because any sentence of two years and over has to be served in a penitentiary). In practice, within these limits, there are wide variations in the sentences given by various courts for similar offences; one court may differ greatly from another in the length of both definite and indefinite sentences. Even when the offenders have a similar background some courts prefer not to use the provision for an indefinite sentence and merely give a definite one; also there is an anomaly in that an offender under the age of sixteen years is legally unable to be given the benefit of an indefinite sentence, although in practice he would be sent to one of the units set aside for juvenile offenders. Any boy under the age of eighteen years must first be adjudicated upon in a juvenile court, but in certain circumstances the juvenile courts transfer cases for jurisdiction by adult courts.

The B.C. Parole Board, which consists of three members serving on a voluntary basis, is responsible for the release on parole of any young person sentenced in accordance with the above mentioned provisions on or after the expiry of the definite sentence, subject to the Board's satisfaction that the release has been merited. No one of course can be detained after the termination of the indefinite sentence unless other charges are pending. Supervision of a young offender on parole is carried out in the main by the Provincial Probation Service, though the Borstal type of institution known as New Haven has its own association which provides sponsors. Employment is obtained by means of its own organization and there is close co-operation between the Borstal Association and employers throughout the province. The Young Offenders' Unit and West Gate sections of Oakalla Prison Farm rely largely on the Provincial Probation Service which has close liaison with the Government employment agency.

In the case of a definite and indefinite sentence the wording of the committal warrant specifies either the Young Offenders' Unit or New Haven Borstal Institution as the court deems appropriate. In practice all are sent to the Classification Unit at Oakalla Prison Farm and, should the classification board desire to alter the allocation, the matter is submitted to the Inspector of Gaols, who has the power to transfer to one of the other units. The possible dispositions are to Oakalla Prison

[1] The writer is indebted to the Inspector of Gaols of British Columbia for permission to contribute this article; he wishes to stress that the views expressed therein are entirely his own and that he speaks for no other official individual or group.

This paper was submitted in March 1957, since when some minor changes in one unit have taken place.

Farm itself, the Young Offenders' Unit or West Gate sections of Oakalla Prison Farm or New Haven Borstal Institution. A vocational training institution at Haney, B.C. was opened in 1957 and will form another valuable source of training for the age group under consideration.

There is no provision yet for the young narcotic addict to be given the advantages of training such as is possible for the non-addicted members of his age group if he is charged with an offence under the law dealing with the illegal possession of narcotic drugs; however, if sentenced to an Oakalla term, he would be considered for admission to the unit for the treatment of narcotic addicts—a small unit, for twelve only, very recently established on an experimental basis. Should he be charged with any other offence he can be given the definite and indefinite sentence, in which case he would probably be considered as unsuitable for units containing non-addicted youths for fear of contagion. This means confinement with narcotic addicts of all ages in the East Wing of Oakalla Prison Farm, though in rare cases New Haven has taken a young addict.

Any girl sentenced by an adult court is given a definite sentence and goes to the Women's Building at Oakalla Prison Farm, unless of course the sentence is for two years or over in which case she would be transferred to the penitentiary. Boys and girls committed by juvenile courts are sent to the Industrial Schools which are administered by the Health and Welfare Department.

The British reader will no doubt therefore compare his system in relation to these points of the B.C. system: (*a*) Wide variation in the sentencing of juveniles. (*b*) The lack of alternative to prison in the cases of boys of fourteen and fifteen years of age. (*c*) The lack of Borstal type training for girls.

The Young Offenders' Unit. The training programme in this unit is largely based on North American ideas of professional group work. There is a supervisor in charge of each group who is not a social worker, but he becomes indoctrinated in group work technique during his services, by guidance and experience and attendance at in-service training courses when possible. On the whole this unit takes the more disturbed and maladjusted young offenders requiring maximum security. There is need for psychiatric caseworkers here with part-time psychiatric supervision, but in spite of their absence many highly disturbed youngsters are handled remarkably successfully, at any rate as far as the institution living is concerned, with the use of minimum sanctions. Reference to the Warden's court is relatively rare as are transfers from the Young Offenders' Unit to other parts of the gaol. The director has no authority to punish except to remove privileges. To the English observer it would seem that there is greater freedom within the walls than is possible in an English institution; for example, expression of hostility is more tolerated up to a point and there are fewer inhibitions as regards expression and personal idiosyncracies. These dispensations and the manner in which they are utilized by the staff aid in the treatment of the non-conforming young offender and approximate to the clinical approach of the more ' progressive ' schools of thought in the treatment of maladjusted children.

The group system demands that there should be no individual variation of activity other than type of work. For recreation the group functions as a whole, doing what the majority wishes. This is unusual in the English system which does not employ small groups and allows individual choice of recreation in certain circumstances; for instance, within a Borstal house at approved times the boys

move freely within the house and can play ping-pong, or billiards, attend a ' club ', read or converse or visit the matron or housemaster. This is not the policy in social group work. The term ' socialization ' is rapidly assuming prominence; this infers of course that the delinquent is asocial and that the antidote is to socialize him or her by teaching him how to live amicably and co-operatively in a small group by subordinating his egocentricity to the needs of others and how to employ his time actively and sociably rather than behaving instinctually and impulsively. This is the aim of all rehabilitation, but it seems that the means employed to ' socialize ' a delinquent stress the impersonal in the emphasis on group cohesion.

West Gate. This unit contains offenders of all age groups, but they are selected as being potentially more responsive to rehabilitation than those confined to units in the main gaol building. The qualification for a young offender's classification to West Gate, apart from an affinity to its programme, is perhaps that of unsuitability for the Young Offenders' Unit or New Haven because of the type or length of sentence, previous failure at either or both of these units, sophistication or recidivism to a degree out of keeping in those units. Owing to pressure of numbers in the Young Offenders' Unit, there may sometimes be no alternative to West Gate.

The administration of this unit represents the tendency in North America to categorize the staff as being either ' custody ' or ' treatment '. To those who have observed the working of both the American orientated correctional administration and the English system, the seeming dichotomy is especially interesting. This policy has an impact on offenders of all ages but has a specially important bearing on the training of the young delinquent. In the system under consideration the separation of the two rôles commences at the level of the deputy wardens—there is a deputy warden ' custody ' and a deputy warden ' treatment '. The rôles frequently overlap and they may have to be interchangeable, but (in order to simplify as much as possible) it is true enough to state that the deputy warden in charge of custody is responsible for that, for discipline of staff and inmates and for staff administration. Many of his duties in England would be carried out by the Chief Officer, and some by the Governor. The deputy warden in charge of treatment, briefly, is the channel through which passes almost everything to do with programme and inmates' progress through the institution. The correctional officers engaged in ' treatment ' have none of the executive responsibility delegated to the housemasters (or governors of various classes, as it is believed they are termed); therefore they report to the treatment deputy, who is the medium for all correspondence and contact with the warden. He is acting on behalf of the ' treatment ' staff as a whole and also has duties delegated to him by the warden. The term ' treatment ' is used freely; it is almost synonymous with the idea of training which is inherent in the English techniques, and used in this general sense it has no clinical connotation. Under weak leadership this division in status between two departments could lead to a contretemps—the ' custodial ' staff could regard the ' treatment ' staff with some indifference, even amounting to derision—but this has not happened at Oakalla.

Over-all direction comes from the senior treatment officers, but it is quite clear that they must not take undue risks concerning custody and actually the advice of the custodial staff is most seriously considered and due deference paid to the opinions and experience of men and women who have been well versed in prob-

lems of custody over many years. This policy appears complex but functions tolerably well, though it tends to label as diverse aspects which are in practice blended. The success of this scheme or any other depends on the quality of staff from the lower level upwards and it has been found difficult to engage men who have even an inkling of what is being attempted—this renders frequent sessions of in-service training essential.

The East Wing of the Main Gaol. If a young offender has had no success in any of the units on previous occasions and if his behaviour is considered to be such as to disqualify him from further attempts in the Young Offenders' Unit, West Gate or New Haven, there is no alternative but the East Wing. This has so far been administered on strictly gaol lines for the less responsive individuals and the narcotic addicts. Many of these young recidivists are more comfortable in such an environment; they feel they are treated more like adults and they have not the same demands to meet as in other units. As far as is possible the non-addicts are segregated from the addicts both within the wing and at work.

New Haven Borstal Institution. Of special interest to the English prison and borstal worker is the New Haven Borstal Institution, opened in 1937. It is situated near Vancouver, in rural surroundings, the administration building being a converted country mansion. New Haven can accommodate forty lads serving definite plus indefinite sentences of the type already described. Occasionally a boy is sent there with a definite sentence only. Owing to the grade system at New Haven, which takes two months in each of three grades to complete, it is not often desirable to send a young offender there with a definite part of his sentence of less than six months; although in special instances this does not deter the classification panel from recommending New Haven—in cases for which a period of training under six months would appear quite inadequate. In other units, the B.C. Parole Board, subject to the boy's satisfactory progress, will release him after a period of four months if sentenced to a definite period of three months, with an indefinite time. New Haven is designed to take those boys of highest calibre and those who are minimal custody risks in an open institution. This standard is largely theoretical in that, as the probation service takes an increasing number of this type of delinquent, the standard left for institutional treatment inevitably becomes lower, but the fact remains that of all young offenders committed to correctional institutions New Haven should have the least delinquent.

The intentions and traditions of the English Borstal system have been loyally and ably upheld at New Haven, subject to adjustments necessary when functioning in a different culture. The supervisors are not professionally trained, but the writer has worked with English Borstal officers and can detect similar skill in their New Haven colleagues. On the New Haven staff there is a housemaster and also a graduate social worker. This leads to speculation as to how the housemaster in the English Borstal compares with the graduate social worker in Canada. The duties of the housemaster at New Haven are similar to those of his English counterpart. The social worker obtains the social history and pertinent information for the files, conducts an admission interview, supervises a mental health analysis test, interviews boys concerning their monthly report, acts as counsellor and caseworker and is in constant contact with parents and interested agencies; he also presents the parole board with all the necessary information on each lad appearing before it. He assumes executive authority in the absence of the Director and housemaster.

Schools of Social Work in Canada train men and women who are skilled in case and group work, and their graduates, who have some psychological and psychiatric knowledge, are dispersed amongst the various welfare agencies. Where clinical treatment and psychotherapy are offered the psychiatric social worker comes right into his own, but this presupposes a type of unit which we do not yet possess in the prison service in British Columbia, except in two very small units for the treatment of male and female criminal narcotic addicts. Within the last two years the department of criminology at the University of British Columbia has been training men and women as criminologists. A challenging situation has arisen in that graduates of both social work and criminology have been appointed in correctional institutions in British Columbia and perform similar tasks. Are the future leaders of correctional work in Canada to be social workers or criminologists? Will the criminologists tend to become the administrators, whilst the social workers specialize in treatment techniques? University of British Columbia graduates in social work and criminology are similarly engaged in probation work and in correctional institutions, and perhaps in time there will be a merging of the two disciplines in the case of those intending to take up a career in corrections.

There is much in the New Haven programme which requires explanation to prospective residents there. The grade system, promotion from junior to senior, is strange to many of Canadian culture, though not so strange to boys who have been in the services. The idea of one boy being a leader, responsible for others, is also suspect by many, before they have experienced it, as no one inmate in the British Columbia correctional system, apart from New Haven, has authority over others. Sometimes novices to any of the units meet ex-New Haven boys in the classification centre, who possibly have absconded from there and they hear highly disgruntled and false accounts of the New Haven regime. (The amount of absconding from this institution is negligible.) Some do not wish to go there as there is no training in auto-mechanics—a highly popular vocation, with many more applying for training in the Oakalla shops than can be accommodated. It is also certain that greater demands will be made on the boy at New Haven in the way of behaviour and deportment. No promotion—no appearence before the parole board. Those who require whole time schooling can obtain this at the Young Offenders' Unit and there is an evening class at New Haven for lads retarded educationally.

Religion plays a greater part in the New Haven curriculum than in other units. Attendance at the chapel is compulsory. Medical care is undertaken by the medical officer of Oakalla Prison Farm, and he writes a psychiatric report on each inmate shortly after admission, similar to those written by the prison medical officers in England on committal of a lad to Borstal training.

New Haven possesses a great advantage over the other units in having a Borstal Association, the director of which is responsible for job finding and for allotting a sponsor for each parolee. Most of these sponsors are volunteers, but in areas in which a sponsor is unobtainable the Provincial Probation Service acts in his place. There is very gratifying statistical evidence over many years as to the success of the training—it fills a great need for the less delinquent and less disturbed young offender. Absconders are almost always charged in a police court and do not return to New Haven. Thus New Haven is an example of a borstal type institution adapted to Canadian culture. Its survival as such, in the writer's opinion, has been

due to the transplantation of principles with their own soil still clinging to their roots. This does not suggest by any means that successes would be fewer under the North American modus operandi and it is refreshing to nurture a variety of philosophies in one service which can but enrich the whole.

R. G. E. RICHMOND.

DEPARTMENTAL AND OTHER COMMITTEES

Departmental and Inter-Departmental Committees have been multiplying in our field in recent years. The Wolfenden Report of 1957 has not yet been fully debated in Parliament, and none of its recommendations on the law of homosexuality have so far been accepted by the Government. The Ingleby Committee on the law relating to children and young persons (see our special number of January, 1957, on Juvenile Courts) is still at work, and so is the Committee on Pay and Conditions in the Prison Service set up in autumn 1957 under Mr. Justice Wynn-Parry. The report of the Tucker Committee on Proceedings before Examining Justices has recently been published. The composition of the Streatfield Committee on Arrangements for bringing Offenders to Trial, etc. (see *Brit. J. Delinq.*, July. 1958, p. 67) has just been announced, and Lord Feversham has been appointed Chairman of a Committee to inquire into human artificial insemination.

No Committee is so far in sight on the subject of attempted suicide on which questions have repeatedly been asked in the House of Commons, and it might well be argued that there is no need for one as the main issue, abolition of penalties for attempted suicide, is perfectly clear. There can be no doubt that the retention of this offence is out-of-date, and the only possible argument in its favour, *i.e.* that it facilitates treatment, has been refuted by experts. In its recent report,[1] a representative body, the Joint Committee on Psychiatry and the Law of the British Medical Association and the Magistrates' Association, has stated that it has ' received information from a number of consultants in general hospitals, with or without observation wards, and in mental hospitals, who were practically all agreed that the person who has attempted suicide is a case for medical and social care and that the intervention of the law is undesirable and unnecessary.' The report recommends that ' the law should be amended to provide that suicide, and consequently attempted suicide (excluding attempted suicide pacts, etc.), should no longer be a criminal offence as such ' and that ' So far as possible, no case of attempted suicide should be brought before any court on any form of charge except, for example, where the incident takes place in public; and/or in circumstances which cause annoyance and alarm.' It endorses the principles set out in the Report of the Royal Commission on the Law relating to Mental Illness and Mental Deficiency of 1957 (paragraph 412), *i.e.* that the police should be able to take to hospital any person they find in a public place apparently in need of care or control if they have reason to believe that the person is suffering from mental disorder.

The Tucker Report deals with a problem of limited scope but considerable practical significance to the administration of criminal justice, and it deals with

[1] The Law and Practice in relation to Attempted Suicide in England and Wales, paragraph 13.

it extremely well. It is one of the greatest merits of English as against Continental criminal procedure that it allows the widest possible publicity in all its stages. As a rule, publicity of criminal proceedings is essential, but it may also have its dangers. For the trial itself it is one of the indispensable safeguards of civil liberty that the public and the press can be excluded only in exceptional and clearly defined cases. For preliminary proceedings hardly any such safeguards exist in Continental legal systems. Not so in this country where, as the Tucker Report shows in its valuable historical survey, proceedings before examining magistrates have been in open court for more than a century. The question often ventilated in recent years, especially since Mr. Justice Devlin's critical remarks in the Adams trial, is whether the principle of full publicity of such hearings has not been overdone to the detriment of true justice. The two aspects of the matter which the Tucker Committee had before them were: (*a*) ' to consider whether proceedings before examining justices should continue to take place in open court, and if so (*b*) whether it is necessary or desirable that any restriction should be placed on the publication of reports of such proceedings.' The Committee received evidence largely, but not exclusively, from corporate bodies and individuals belonging to the legal and journalistic professions; and, interestingly enough, ' four prisoners writing from prison ' were also among those giving written evidence. With regard to the first question, the Committee unanimously and in agreement with the evidence quite rightly refuses to recommend that committal proceedings should always or frequently be held *in camera* and that ' examining justices should be encouraged to make even a minor increase in their use of the existing power in section 4(2) of the Magistrates' Court Act, 1952, to sit *in camera* (paragraph 28). This is not likely to be a controversial issue. The controversy concerns the second question, *i.e.* publication of reports, and here, after carefully weighing the evidence, the Report rightly concludes that there is a widespread belief ' that the present system creates an atmosphere prejudicial to the accused and to that extent seriously impairs public confidence in the administration of justice, and we are in no position to say that the belief is groundless ' (paragraph 37). Consequently, the Report unanimously recommends that ' unless the accused has been discharged or until the trial has ended, any report of committal proceedings should be restricted to particulars of the name of the accused, the charge, the decision of the court and the like ' (paragraph 70g). Among the possible alternative remedies, the system since 1953 in force in Northern Ireland is examined and found to be unsuitable for the entirely different conditions of England and Wales.

So far, the recommendations of the Tucker Report have been favourably received in legal quarters and strongly criticized by the Press, with important exceptions such as the *Observer* and the *New Statesman*. It is to be hoped that they will be accepted by the Government and by Parliament.

H. M.

The First Offenders Act, 1958

One of the recommendations in the Report on 'Alternatives to Short Terms of Imprisonment ' recently produced by the Home Office Advisory Council on the Treatment of Offenders (H.M.S.O., 1957) was that Section 17 of the Criminal Justice Act, 1948, should be extended to adult offenders. Such an extension had already been suggested by the Howard League for Penal Reform which had been

able to arouse the interest of the Home Office in the whole question of alternatives to short term imprisonment. To Sir George Benson, M.P., the Chairman of the Howard League, full credit is due for piloting the Bill through the House of Commons with the assistance of the Home Office.

The essence of this short, but important, statute is that magistrates' courts shall no longer pass sentences of imprisonment on first offenders aged twenty-one or over unless they are of opinion that no other method of dealing with them is appropriate. Moreover, as provided in Sect. 17 C.J.A., 1948, 'for the purpose of determining whether any other method of dealing with any such person is appropriate the court shall obtain and consider information about the circumstances and shall take into account any information before the court which is relevant to his character and his physical and mental condition.'

For the purposes of this Act, Subsection (3) of Section 107 of the Magistrates' Courts Act, 1952, which requires a magistrates' court which imposes imprisonment on a person under the age of twenty-one to state the reason for its opinion that no other method of dealing with him is appropriate, is now equally applicable to adult first offenders. A 'first offender' is, for the purposes of this Act, defined as a person who has not since attaining the age of seventeen been convicted of any other offence, except an offence not punishable with imprisonment.

In how many cases this Act will be able to save first offenders from imprisonment is impossible to predict, but it is a fact that after the passing of the C.J.A., 1948, the number of persons between 17 and 21 sent to prison fell to less than one half. It is also a fact that at present many first offenders are sent to prison by magistrates' courts without any preliminary investigation and other safeguards of the kind now prescribed. An appreciable reduction in the number of such sentences can therefore be expected. On the other hand, the problem of the short prison sentence cannot be altogether solved by the new Act, especially not for those who are not first offenders, and the other recommendations of the Advisory Council will have to be given further consideration. Moreover, the findings of the research on the subject at present being undertaken on behalf of the Home Office and the Nuffield Foundation (see *Brit. J. Delinq.*, April, 1957, p. 309, Current Research No. LII) will, it is hoped, also contribute towards a solution.

H. M.

Third International Congress on Criminology

Summary of Proceedings of the Third International Congress on Criminology, London, 1955. *Published by the British Organizing Committee on behalf of the International Society of Criminology* (*London*, 1957, Pp. 252). *With an introduction by Dr. H. Mannheim.*

This volume reproduces in book form the General Reports submitted to the five Sections of the Congress, the opening and closing addresses and resolutions, and a list of the participants, and of the other papers submitted, some of them subsequently published elsewhere. The theme of the Congress was Recidivism, and the five sections dealt with: 1. Definition of recidivism and statistical aspects. 2. Descriptive study of forms of recidivism and their evolution. 3. Causes of recidivism. 4. Prognosis of recidivism. 5. Treatment of recidivism.

The late Dr. Carroll in his opening address said that it was not the intention that formal resolutions should be passed, although they were not banned ' for it may well be that one or more of the sections will find that they have arrived at a consensus of opinion.' In the event, all the Sections produced ' Conclusions ', varying from those which look suspiciously like resolutions, to several pages in the form of a general report. Amid many generalities, inseparable from Congresses the world over, two things stand out. In the first place it was resolved to appoint a committee to examine the data on recidivism in the official criminal statistics in various countries and suggest minimum objectives and standards for the collection and publication of such data. This is a job of work which undoubtedly needs doing.

Secondly, the Congress came out quite clearly in favour of prediction, softening the blow with the usual statement that ' the use of systematic methods of prognosis, including validated predictive devices ' should not be ' applied automatically, but used as instruments in the hands of teams composed of professional skilled workers serving agencies charged with the administration of justice involving juvenile and adult offenders.' It is good to know that both the pioneering work of the Gluecks and the recent advances made in this field have been accorded international recognition.

The General Reports comprise a useful survey of international thought and opinion upon a wide range of subjects related to the main theme of the Congress, and some interesting comments and interpretations. Dr. Mannheim in his Introduction adds further comments upon the conclusions reached by each of the general Sections. He draws a somewhat invidious distinction between people called ' causalists ' and an unnamed group who are presumably ' correlationists '. It is a pity that the question of how far one can accept and use carefully prepared and fully validated statistical artefacts has become mixed with the old argument about whether causation has any real meaning. The problem does not bother psychologists very much although they are constantly using tests of various kinds. So long as one is careful to operate within the limitations of the artefact, and to make oneself acquainted with its construction, there are few real difficulties in practice.

As Dr. Mannheim points out, the Section dealing with the treatment of recidivism had great difficulty in producing any satisfactory results. The chief obstacle was the range of the subject. Treatment of recidivists is almost as wide a question as treatment of offenders in general, and this led to much diffuseness in debate. It might well have been advantageous to ask the rapporteurs to concentrate upon a few specific problems; or the Chairman might have directed the discussion to the same end. In a confused way, a major question did emerge: that of the relation between professional and non-professional staff in institutions, and especially the status and use of psychiatrist and social worker. Should the institutional regime be woven round their work, or should they be used in an advisory capacity? In whose hands are ultimate decisions upon institutional matters to lie? And upon what legal provisions as to sentence and release should their work be founded? There are questions well worth discussing in more detail at a future Congress.

GORDON ROSE.

CRITICAL NOTICES

A History of English Criminal Law and its Administration From 1750. By Leon Radzinowicz. Vol. I, The Movement for Reform. Vol. II, The Enforcement of the Law. Vol. III, The Reform of the Police. (London: Stevens & Sons, Ltd. Vol. I. 1948. Pp. 853. Vol. II. 1956. Pp. 751. Vol. III. 1956. Pp. 688. £4 4s. net each volume.)

The first three volumes of this great work have now appeared, the first in 1948, and the second and third in 1956. When the full history is completed, it will certainly surpass any history of English criminal law ever attempted, and will undoubtedly be a contribution of the highest possible value to legal knowledge. When I reviewed the first volume nine years ago, I spoke of the awed wonder with which I contemplated this courageous enterprise undertaken by Dr. Radzinowicz. Now that three volumes are in our hands, the sense of wonder and admiration grows. For the research of the author and his assistants has been on a magnificent scale. The books and documents consulted number tens of thousands, and include reports of all sorts of Commissions and Enquiries, Parliamentary Debates, Statutes and Cases, the works of British and foreign authors, and almost every kind of publication, it would seem, that could possibly throw light on any aspect of the criminal law. The research began so long ago as 1941, and it is a pleasure to record the generosity of the Pilgrim Trust and the Rockefeller Foundation in associating themselves with this great work of scholarship and learning.

The reviewer confronted with these three massive volumes must necessarily take a very long time to read them, and quickly recognizes that any review must in many respects be quite inadequate. But although the wealth of material collected by Dr. Radzinowicz is so rich as to be almost overpowering, he has nevertheless written these three volumes with a simplicity of style and a lucidity of expression that has produced a narrative of extreme fascination to all students of criminal law and of quite extraordinary interest to the general reader. For these volumes are much more than a bare history of the criminal law; they are vividly drawn pictures of the life of the eighteenth and nineteenth centuries. They deal with the law, with public opinion, with the work of Parliament, with customs and usages, with the life of the people in all grades of society, with ways of thought, and with all the necessary background that makes the state of the criminal law intelligible to modern readers. The manner of the writing requires this further comment. It is a most remarkable thing that the English of this book should have been written by one who was not native born. Dr. Radzinowicz is Polish by birth and British by naturalization, and he speaks with gratitude of the great debt he owes to his wife 'for her acute feeling for the idiom of our adopted language'. But the fact remains that the style and expression could not be bettered. It is a delight to read a book on law that is not only absorbingly interesting, but is written in English that is plain and simple and direct.

Of the three first volumes I find the first by far the most interesting, but that is perhaps a purely personal preference. It is concerned with problems of punishment and with capital punishment in particular. Problems of punishment have

always presented great difficulties, and one has only to spend a day at Quarter Sessions or Assizes, when pleas are being taken, to realize how difficult but how profoundly important is the task of finding the appropriate sentence. In the period with which this first volume is concerned the sentence of death was handed out very much as the magistrate hands out a fine of 40s. at Bow Street today. The number of capital offences existing at the beginning of the nineteenth century was certainly over two hundred and most of them had been created in the eighteenth century. The ' gentle ' eighteenth century is sometimes held out as a very pleasant age in which to have lived, but the criminal law of that age was savage and barbaric to our modern thinking. A boy of ten could be sentenced to death and the whole body of English justice to whom the matter was referred could say '. . . in justice to the public the law must take its course.' Women were burnt alive in the most shocking circumstances; the terrible punishment of disembowelling was frequently carried out; the bodies of those who had been hanged were strung up about the countryside in chains; public executions at Tyburn or Newgate were made occasions of disgraceful orgies; and yet, as Dr. Radzinowicz points out, there were many powerful voices calling for more severity. Retribution and deterrence were the animating ideas of the criminal law, and the discussion in this first volume of the proper place of punishment in the maintenance of public order, and in the prevention and suppression of crime is of great value at the present time. The wisdom of men like Eden and Romilly and Burke is now clearly to be seen, and should encourage every modern penal reformer. One of the great virtues of the work of Dr. Radzinowicz is the vivid detail with which he illustrates his particular theme. Could anything show more vividly the ease with which capital offences were created in the eighteenth century than the quotation from the speech of Sir James Mackintosh in the House of Commons in 1819:—

> ' On a certain occasion when Edward Burke was leaving the House, one of the messengers called him back. Mr. Burke said that he was going on urgent business. " Oh ", replied the messenger, " it will not keep you a single moment, it is only a felony without benefit of clergy.'

or the quotation from the speech of Sir Thomas Fowell Buxton:—

> ' Sir William Meredith happened one day to go into a committee-room for the purpose of writing a letter; at one corner of which he observed a gentleman seated at a table, and seemingly asleep, to whom a clerk was reading . . . and every paragraph concluded " Shall suffer death without benefit of clergy." Sir William said " What may this heinous offence be that you are visiting with so terrible a penalty?" " Why, Sir ", replied the legislator, " we country gentlemen have suffered much by depredations on our turnips, we have determined to put a stop to this practice; and my good friend the Minister has been so obliging as to allow me to make it death without benefit of clergy." '

In our own day the question of capital punishment has been discussed with considerable bitterness, and sometimes with a great deal of the eighteenth century spirit. The demand for the retention, and indeed, extension of capital punishment, and the demand for the return of corporal punishment for certain offences seems sometimes to make the same insistence on the deterrent power of punishment, without any recognition of its failure to prevent crime, or the conditions which made the way of the reformer in the eighteenth century very hard indeed. The

Homicide Act of 1957 now restricts the death penalty to five types of murder and makes all other murders punishable by life imprisonment.

Radzinowicz discusses at some length the contrast between the views of those who cried out for even sharper penalties and the views of the enlightened reformers. He examines the nature of the existing criminal procedure, the lack of an adequate police force, and the extremely unsatisfactory nature of the existing secondary punishments and shows how strongly these things tended to maintain the wide range of capital punishment. But he also points out that the use of criminal statistics as a scientific index of crime was unknown, and its value unappreciated. That properly prepared criminal statistics could be of service in determining the trends of delinquency was not understood. People knew very little about the causes of crime and took but little trouble to find out. The elaborate research of modern times was utterly beyond the scope of their thinking. Similarly the scientific classification of offenders was unthought of. It is never very profitable to try and compare one age with another, but the ideas of the eighteenth century which appear to have won the greatest acceptance were the ideas promulgated by Locke and his followers. Dr. Radzinowicz quotes the summary of these ideas made by Dr. Basil Williams and suggests that the governing ideas were the preservation of rights to such an extent that the functions or duties of the citizens were almost wholly overlooked. It was, Dr. Radzinowicz believes, the popularity and predominance of these ideas that made the movement to restrict capital punishment so slow in gaining adherents, because the change in the criminal law in this respect would necessarily have enlarged the protective duty of the State. Many powerful political interests were therefore resolutely opposed to reform.

The skill with which Dr. Radzinowicz discusses and illustrates the policy and purpose of the existing penal legislation is quite masterly. His references to the Waltham Black Act of 1722 in this connection are particularly illuminating, and his restraint in commenting on what now seems to have been the most shocking state of affairs is in the best traditions of the true historian. Criminal law, he reminds us, is but one element in any system of criminal justice. Criminal procedure, the state of the existing police system, and the presence or absence of adequate secondary punishments are factors not to be overlooked when forming judgments; and whilst England had very severe criminal laws in the eighteenth century, she had at the same time an extremely liberal form of criminal procedure superior to any system then in force in any other leading European state. The part played by the judges in mitigating the severity of the laws should also be kept in mind, and Dr. Radzinowicz has collected some very striking illustrations. The excessive technicalities of procedure the judges countenanced are almost unbelievable. If a man's name was wrongly spelt in the Indictment, even though it was one letter only that was wrong, the Indictment would be quashed. One of the judges had actually assumed the black cap before sentencing a prisoner to death when his attention was drawn to a difference between the way a name was spelt in the Indictment and the way it was spelt on a document used by the Prosecution and he immediately took off the black cap and discharged the prisoner.

The first volume is designed to show the beginnings of law reform in the eighteenth century, and it is but simple truth to say that Dr. Radzinowicz makes the volume more interesting than any novel or modern 'thriller'. It is packed with knowledge of the most varied and interesting kind. It abounds in quotations

from law and literature. Gilbert White of Selborne, Lovelace, Leslie Stephen, Buckle, Robin Hood are all here and many others who never expected to be found in a history of the criminal law. The strange case of Dr. Dodd and the part played by Dr. Johnson receive full treatment. The scenes in Newgate before the execution; the procession to Tyburn and the proceedings there; Dying Speeches and confessions; The Hangmen; the old customs and superstitions; the attempts at reviving those who had been hanged; all these topics are discussed in these entertaining pages. But surely and clearly there emerges the predominant theme of the reform of the criminal law in the early nineteenth century. The value of this volume is that it lends strength to the reform that is still needed today. Capital punishment is only one of the problems. There are many others. The law as to suicide, infanticide, abortion, euthanasia, and the Homicide Act of 1957, to mention a few topics only, will all require careful attention; and all these topics involve questions of morals, religion, and ethics as well as law. Dr. Radzinowicz has made a new approach to criminal law, and the social background is made an essential part of the problems to be considered by those concerned with the criminal law and its administration.

The second and third volumes of this monumental work are written with the same clearness and force as the first volume but the interest is not quite of the same intensity. That they are essential to the full history of the criminal law as contemplated by Dr. Radzinowicz goes without saying. The second volume is concerned with the enforcement of the criminal law during the eighteenth and the early part of the nineteenth centuries. The third volume is concerned with the events that led to the formation of a general police force throughout the country.

Both volumes are characterized by the same patient research and by the same use of vivid and apposite illustration. They are in a very special sense essential to the understanding of the first volume. It is curious to notice that much of the opposition to the establishment of an efficient police force was the belief that it would be destructive of the traditional liberties of Englishmen; and even to the present day the powers of the police are limited because of the same feeling. The police are granted no more power than is necessary for the carrying out of their duties, and the courts watch over this power with the greatest vigilance.

All concerned with the administration of the criminal law will be grateful to Dr. Radzinowicz for what he has already done and for what he intends to do. He has drawn a wonderful picture of the state of the criminal law in the eighteenth century. The absence of a police force, the shocking state of the prisons, the lack of proper secondary punishments, the demands for severity, the prevalence of the death penalty—all combined in time to bring about the much-needed reforms. It is now generally conceded that crime cannot be prevented by punishment alone. The criminal law must conform to what the public feels to be right and just. It should protect the law-abiding citizen from invasion of his rights and liberties by wrongdoers, but more and more will the reform of the offender and particularly the young offender as the great objective gather public support; for although some offenders may be beyond the reach of reform it must sadly be admitted, nevertheless it is in reformation that the best and most enduring hope lies of genuine and practical advance in the campaign against crime.

And reformers of every kind will be ready to acknowledge their obligation to the great work of Dr. Radzinowicz. BIRKETT.

H. Bianchi. Position and Subject-matter of Criminology. Inquiry concerning theoretical criminology. (Amsterdam: North Holland Publishing Co. 1956. Pp. viii + 216. 12 guilders.)

As soon as in various other scientific disciplines the positivism of the nineteenth century had been cast aside the scope and method of criminology, too, became the subject of close examination. The author's efforts to define the essential features and aims of criminology in the light of present-day problems are therefore to be welcomed. As H. Mannheim has already stressed (Group Problems in Crime and Punishment, 1955, p. 115), criminologists have hitherto been inclined to neglect the methodology of their discipline. In Dr. Bianchi's view, criminology should not simply borrow the results of the work of other scientific disciplines, but try to develop independently on the basis of the philosophical ideas underlying that work. Its starting point should be the question whether subject-matter or method should take preference in criminological studies. After sketching the historical development of this problem the author decides that such studies should start from both ends, subject-matter and method alike. Following modern German philosophical thought from Husserl to Heidegger he regards it as indispensable that criminology should make use of ontological and phenomenological ideas and he criticizes the tendency of criminologists to prefer the methods developed by the natural sciences at the expense of those of others (Geisteswissenschaften). In its historical development criminology has, again and again, been treated as part of other, apparently more comprehensive, disciplines such as sociology, psychiatry or psychology, a mistake which led to a considerable narrowing of its subject-matter and to a one-sided methodology. Therefore, the author stresses the need for an ' anthropological ' approach, defining anthropology in this connection as the sum total of all branches of scientific endeavour dealing with man. It is, he thinks, only the development of modern anthropology that gives criminology its character as an independent discipline by providing the indispensable link with the specialized disciplines. The essence and scope of anthropology, however, are difficult to grasp since at least eight different lines of thought can here be distinguished, each of them stressing different aspects of human nature such as the biological, the cultural, moral, and so on. The author deals initially with some of these tendencies, especially with the weaknesses of a one-sided biological approach. He is particularly interested in the American type of ' socio-cultural anthropology ' which underlines the close links between man and culture, and also in the kind of ' phenomenological anthropology ' which, thanks to the work of Dilthey and Scheler, has developed mainly in Germany and led to a deeper understanding of human existence. Last but not least the author refers to German existentialist-philosophy (Heidegger, Binswanger, etc.) as also trying to work out a new concept of man and his position in the universe. Representatives of this school such as Kempe are criticized, however, as giving insufficient weight to the important rôle of norms in human life. By defining it as a ' phenomenon ' the author tries to find a new ' conception of crime ' where no single aspect of the matter can be ignored without a corresponding loss in ' reality ', and, since the relation to norms is an essential aspect of human life, norms are an essential element of criminology too. This is the theoretical basis of the author's ' definition ' of crime which, in a very broad way, seeks to understand the ' total phenomenon ' of crime as a foundation for his further discussion. Crime, according to Dr. Bianchi,

' is a sinful, ethically blameworthy, defiant and erroneous act, eventually prohibited by penal law, at any rate deserving to be followed by conscious counteraction on the part of society, which in its behaviour-aspects is the evidence of a failure of reciprocal socio-psychical adjustment of society and the individual, being a " deficient " mode or expression by which man runs counter to his own self ' (pp. 110–11). Special importance is attached by the author to the relations between norm and crime. Using a very wide concept of ' norm ', he includes religious and moral norms as significant for the understanding of crime. Even the concept of sin is therefore, in the author's view, by no means irrelevant to criminology. Moreover, a distinction is made between ' crime ' and ' punishable act '. While criminal law is mainly interested in the latter, in criminology the concept of ' crime ' is the more important one. ' Crime ' is not the same as ' criminal behaviour ', which latter is merely ' the observable part of the phenomenon of crime ' (p. 150). This makes it clear that all criminal behaviour has to be related to man and his actions. A consequence of this is that the purely ' causative ' way of thinking is out of place in criminology, and for similar methodological reasons the author is sceptical of the scientific value of prediction and prognostic studies in modern criminology. On the other hand, the concepts ' person ' and ' personality ' are of the greatest importance to him. ' Person ' means man in all his religious, moral and metaphysical aspects, the ' inner ' man as the image of God, whereas ' personality ' means man as ' observable subjectivity ', in particular in his biological and psychological aspects. Both are essential for an understanding of ' the whole of man '. Only by penetrating to the essence of man as a ' person ' will criminology be able to include the indispensable normative aspects and to avoid the danger of one-sidedness. To this end, the phenomenological theories of Max Scheler and Nicolai Hartmann have been the author's guides. It is their merit to have overcome the individualistic tendencies of the nineteenth century and to have grasped the essential aspect of ' man as being-with-fellow men ' (' Mitmensch '). Applying ideas of Heidegger and Binswanger the author sees in crime not merely ' a deficient design of the world ', a negation of the real essence of man, but also ' sin ', ' error and mistake ', and a negation of God.

After this summary, which does not pretend to give an exhaustive view of the wealth of ideas in Dr. Bianchi's book, some of them may be critically examined. The author's rejection of any narrow interpretation of the scope of criminology is to be welcomed. He is also right in stressing that criminology, dominated exclusively as it has so far been, by the empirical disciplines such as psychology, biology and sociology, has not been capable of understanding the phenomenon of crime in its totality. It is a matter of great importance, therefore, to repeat again and again that the criminal has to be studied not only with the methods of the natural sciences and of medicine but also from the point of view of the ' Geisteswissenschaften '. Criminology can do justice to the totality of the human personality only if it pays due attention to anthropology, whether in its American form as ' socio-cultural ' or in its German form as ' phenomenological ' anthropology. Man has to be understood not only as a ' natural ' entity but also as a spiritual-moral person, which means that criminology has to pay more attention to the world of norms than before. More than ever is man nowadays subject to norms of legal, moral and social character, and the attitude of the law-breaking

individual to the values and norms of law and morality is a fact of great significance to the work of the criminologist. On the other hand, it is an exaggeration if the author regards the relation between crime and sin as important to criminology. If we interpret crime as sin, as a negation of God, and the violation of the laws of God as more serious than the violation of norms of the criminal law we adopt a purely theological conception of crime which falls outside the scope of criminology. This does not mean, of course, that the relation between religion and crime is of no interest to us. Religious views can play a very important rôle, for example, when we have to deal with the problem which spiritual forces have led to penalization of individual forms of anti-social behaviour.

Equally futile are the efforts of the author to utilize certain concepts of modern existentialist philosophy, such as ' deficiency ' in the field of criminology. This is not the place for any detailed criticism of the value of that philosophy as a whole, but it should be said that most of its tenets have to be regarded as speculative and hardly of any use to the work of the criminologist. It may be altogether doubtful whether existentialist philosophy can offer any contributions to the study of legal problems (see Th. Würtenberger, ' Die geistige Situation der deutschen Strafrechtswissenschaft ', 1957, pp. 21 *et seq.*) If existentialism is to be at all fruitful to criminology it could be through certain other concepts such as that of the ' situation ' or the ' conscience ' rather than through those referred to by Dr. Bianchi. It may also be questioned whether the author's view that the concept of crime is independent of the punishment of anti-social acts will not make it well-nigh impossible clearly to define the scope of criminology. Moreover, even if criminology limits itself to the study of those anti-social acts which are the subject of legal penalization it will have a large enough field for its labours. On the other hand, the author is largely right in his criticism of the fact that criminology has become too much dominated by the idea of causality (see also H. Mannheim, Group Problems, pp. 118 *et seq.*). Thanks to our present, more comprehensive, view of the nature of man we can see more clearly the one-sidedness of the interpretation of crime as nothing but a product of heredity plus environment. The origins of crime have to be found in the personality of the criminal as a whole. It is not entirely correct, however, to say, as the author does, that modern techniques of prognosis and prediction are nothing but a consequence of this out-moded way of thinking exclusively in terms of causality. This criticism falls to the ground in particular when, as in Erwin Frey's studies (which are not mentioned by the author) statistical techniques are supplemented and preceded by careful and in the last resort intuitive observation of the individual case. Worthy of attention is the author's point that the detection of a crime can in itself make an important contribution to the evaluation of human personality because finding oneself in the situation of a ' prisoner ' may effect a considerable change in that personality.

In spite of our criticisms of some of the author's views, full tribute has to be paid to his humanity and his high moral standard, to which this book bears witness. The criminology of the future, if it really cares for a scientific definition of its subject-matter and the working out of its methodology, will find in it a wealth of ideas and of inspiration.

THOMAS WÜRTENBERGER.*

* Translated from the German by H. M.

REVIEWS

Recent Publications on Sentencing

1. THE SENTENCE ON THE GUILTY. By Claud Mullins. (Justice of the Peace Ltd., Little London, Chichester, Sussex. 1957. Pp. xiv + 70. 9s. 6d.)

A new book by Mr. Claud Mullins is always welcome, and ' sentencing ' is one of the subjects on which he is an acknowledged authority. Needless to say, there is a great deal of practical wisdom and experience in this little booklet and, as usual with Mr. Mullins' books, it is enlivened by well-selected short case histories taken from his own court work. According to the Author's Preface it has been written for magistrates, and this may explain why it is so tantalizingly brief. Mr. Mullins could have easily written a much more substantial volume which would have been far more useful to the instructed few, but apparently he was afraid this might frighten away the uninstructed many. Even in a popular book for beginners, however, more might advantageously have been said on a number of highly important topics. To give but one illustration, Mr. Mullins approves, as many do, of the principle behind the Detention Centres since ' institutions with a rigorous course of training, but with a short term of residence, have been needed for several decades for cases which cannot be placed on probation, but which do not necessitate the three years' sentence for a borstal institution ', but he makes no mention of the lively controversy on the subject, not even of the valuable report of a Sub-Committee of the Magistrates' Association. Surely, newly appointed magistrates should at least get some idea of the pros and cons of these Centres to enable them to make a reasonable selection. The booklet is dedicated to the Probation Officers who worked with the author, and the chapters on probation are admirable. Sentences such as ' Those on the bench need always to remember that they will in fact receive the reports that they deserve. If they take a narrow view of the duties of those who can help them, narrowly restricted reports will be sent in ' deserve to be handed to every new magistrate. When dealing with short prison sentences Mr. Mullins rightly points out that it is not yet possible to dispense with them altogether ' though it may be hoped that they will become fewer and fewer in the course of years ' and ' nothing that has just been written takes away any part of the burden resting on criminal courts to exhaust every possibility before deciding that a prison sentence must be imposed '. Here again it might have been useful to deal more fully with this vital subject which is at present receiving special attention. Very properly the author appeals to magistrates to allow time between verdict and sentence. ' Think before you speak—and write down afterwards ', was the advice given to Alice by the Red Queen. But why not go the whole way with the Red Queen and ask courts not only to allow time before sentencing but also to state their reasons in writing? Sect. 17 (3) Criminal Justice Act, 1948, might profitably be further extended.

2. GUIDES FOR SENTENCING. Advisory Council of Judges of the National Probation and Parole Association. (New York, Chicago, San Francisco, Austin, 1957. Pp. ix + 99. $2.00.)

In a way, this is the counterpart to Mr. Mullins' book, not much more detailed and roughly on the same lines, but produced under the auspices of a panel of distinguished American judges and apparently intended for the use of their learned

brethren. After a brief discussion of the objects of sentencing there is a critical assessment of the parts played by the prosecution, defence counsel, and probation officer, and we note that the latter's report ' should include a specific recommendation as to disposition only if the judge desires it ' (p. 9). On the other hand, the judges pay much the same tribute as does Mr. Mullins to the assistance given by the probation service, ' the key stone of the sentencing structure ' (p. 10). With reference to parole, there is the warning, significant for sentencing in this country too, that the judge should not add time to a prison sentence merely on the assumption that the parole board might release the prisoner at an early date (p. 20). Special emphasis is rightly placed on pre-sentence investigations and one gets the impression that the authors require such an investigation to be made in each and every case, which would hardly be practical politics. Much better to make it mandatory only in cases where a prison sentence is contemplated, plus certain other well-defined categories, difficult though their definition may be. In chapter 4 a list is given of ' factors affecting the disposition ', and there is much practical wisdom in this discussion, *e.g.* ' the judge must use public opinion constructively as an aid in sentencing, but not be dominated by it ' (p. 46). Prediction studies are not yet mentioned as potential aids in evaluating the significance of individual factors. Regarding legislation, the panel rightly pleads that the widest possible latitude should be left to the judge to choose among the whole range of dispositions and that in particular no legal limitations should be placed on the use of probation. There are two Appendices, on the problems of specific types of offenders, such as alcoholics and drug addicts, and a few model pre-sentence reports.

3. Die Strafzumessung im Lichte der Modernen Amerikanischen Schule. By Hans-Martin Pfersich. (Rechtsvergleichende Untersuchungen zur gesamten Strafrechtswissenschaft, Neue Folge Heft 17, Ludwig Röhrscheid Verlag, Bonn. 1956. Pp. 162. DM 14.50.)

Whereas the two above mentioned publications have been written by criminal court judges of long practical experience for the guidance of their less experienced colleagues the objects of the other two books here reviewed are different. They are more detailed, essentially theoretical studies, Pfersich's of sentencing policy in the light of the work of what he calls the ' modern American School ', Spendel's of its theoretical problems in the light of German literature and court practice. After a well-informed review of the principal developments in American criminology since 1910, its penal philosophy and its criticisms of the traditional administration of criminal justice in the U.S.A., Dr. Pfersich concludes that in the United States the battle between the classical and the modern schools, fought with practical rather than theoretical arguments, has led to a growing demand that judicial sentencing policy should be based on better information on the personality of the offender. In the second part the author shows that, in spite of some striking differences between different state legislations regarding the minimum penalties provided for various crimes, American judges as a whole enjoy wide discretion in their choice of penalties. His brief remarks on the failure of American law to provide an efficient system of appeals in criminal cases, while substantially correct, may perhaps do less than justice to recent reforms and reform proposals on the lines of, or going even beyond, the Massachusetts statute of 1943. By far the most substantial parts of the book deal with the present problems of sentencing

policy. A valuable and, to the reviewer's knowledge, complete historical survey is given of the various researches, beginning in 1921, on the differences in American judicial sentencing which, coupled with the absence of written reasons, produce a bewilderingly capricious picture, though probably not more so than in most other countries. This leads to a thorough discussion of the well-known attempts to create a non-judicial agency, Treatment or Disposition Tribunal, Adult and Youth Authority, etc. Here the author had the advantage of several months of observation of the Federal and Californian systems, and his report appears to be accurate and objective.

4. Zur Lehre vom Strafmass. By Günter Spendel. (Frankfurter Wissenschaftliche Beiträge Vol. 10. Vittorio Klostermann, Frankfurt am Main. 1954. Pp. 246. DM 21.50 paper bound.)

It is to be regretted that this in many ways interesting and important study should be marred by the author's extreme and untimely dogmatism. It is no longer possible to deal with problems of sentencing, as Dr. Spendel suggests, on a purely dogmatic basis, excluding any 'criminological' and 'crimino-statistical' investigations which latter, he thinks, can hardly produce anything of value to judicial practice (p. 26). To the present reviewer the opposite seems to be true, *i.e.* no purely dogmatic studies can take us any further unless they are constantly checked and supplemented by criminological, statistical, and other research. Teamwork, co-operation between all the disciplines concerned is essential in this field as in most others (see the article referred to below). It is equally unfortunate that the author regards retribution as the essence of punishment and/or the only philosophical basis of sentencing. Other ideas, in particular prevention, are admitted, as it were, only by the backdoor as secondary and casual by-products of punishment (pp. 101–2). Issue is taken with post-war decisions of German High Courts rejecting this exclusive emphasis on retributive ideas (p. 60). It is in line with the author's general views that he is against the abolition of minimum penalties (p. 155). In the case of serious crimes, the penalty should, he thinks, never, even where there is only a minimum of guilt, fall below a substantial minimum, which would of course exclude the possibility of probation for such crimes as manslaughter. On the other hand, he does not go so far as to maintain that the idea of just retribution postulates that there is only one 'just penalty' for a given criminal act; all such attempts to produce a mathematically exact equation beween crime and punishment are doomed to failure (p. 187). Certain factors only loosely related to the offence and the offender may well be taken into account in sentencing, such as *e.g.* an increase of crimes of a certain kind in the district, although this will hardly be in accordance with the idea of retribution (p. 204). On the other hand, one can readily agree with the author that the sentencing problem can most usefully be tackled from two angles *i.e.* first, from the point of view of its general principles and, second, with regard to their application to specific offences (pp. 29 *et seq.*). His summary of the historical development in this field, though limited to German sources, is valuable as a basis for further work.

5. Strafgesetzbuch (Leipziger Kommentar). Achte, neu Bearbeitete Auflage. Erster Band, Erste und Zweite Lieferung. (Walter de Gruyter & Co., Berlin w 35. 1956. Pp. 695. DM 22 and 42 unbound.)

This new, eighth, edition of the great commentary to the German Penal Code presents what is probably the clearest and most detailed picture avail-

able of present-day German criminal law as applied by the Supreme Court and other high courts, supplemented by ample references to current literature. While it is impossible in a short review to do justice to the contents of these first two instalments which cover the General Part of the Criminal Code, including several sections of the Juvenile Court Act of 1953, and a few sections of the Special Part, it is fitting that attention should be drawn to pp. 96–122, in which the theoretical and practical aspects of judical sentencing policy are dealt with by Dr. H. Jagusch, judge of the Supreme Court of Karlsruhe. As in Spendel's book, retribution is still regarded as the primary object of punishment, with prevention and other objectives taking only second place. Various concessions are made, however, to more practical utilitarian considerations. It is admitted that changing attitudes towards crime and punishment, changes in the prevailing systems of values or even in the volume of crime may legitimately produce changes in sentencing policy. Retribution, of course, means retribution according to the guilt of the offender, and it is stressed that only those consequences of the crime which the actor could have foreseen should be considered when fixing the penalty and that in each and every case the personality of the offender, as far as it bears some relation to the crime itself, requires careful consideration. Whether recidivists should be more severely punished than first offenders should therefore be decided on the merits of the individual case.

6. Some Aspects of Judicial Sentencing Policy. By Hermann Mannheim. Yale Law Journal, Vol. 67, No. 6. May 1958.

H. M.

Foreign Criminal Codes

1. The Danish Criminal Code. (Copenhagen, G.E.C. Gad Publishers. 1958. 119 pp. D.cr. 20. Bound.)

Whereas French and German translations of the Danish Criminal Code of 1930 have been available for some time, this is the first English edition of this important modern piece of penal legislation. In his careful Introduction, Professor Knud Waaben of Copenhagen University sketches the history and international significance of the Code. With regard to the treatment of young offenders between 15 and 21—acts committed by children under 15 are not punishable—he stresses the influence of the Borstal system. The British probation service he describes as the most highly developed form of the Anglo-American system. He deals at some length with the important sections 16–17 concerning the various groups of mentally abnormal offenders and states that the co-operation between the courts and psychiatrists has been working well in practice. The treatment of psychopaths at Herstedvester he describes as ' largely in the nature of experiment '. He concludes that there are ' no epoch-making or sensational theories ' in this Code; it is rather ' a happy combination of tradition, national experiments, and foreign patterns.'

2. Sammlung Ausserdeutscher Strafgesetzbücher in Deutscher Übersetzung. (Institut für ausländisches und internationales Strafrecht, Universität Freiburg, Berlin, Walter de Gruyter & Co.)[1]

No. 71. 'Das Argentinische Strafgesetzbuch.' Translation and Introduction by Heinz Mattes. (Berlin, 1957. Pp. viii + 109. DM 12.80.)

No. 72. 'Das Cubanische Gesetzbuch der Sozialen Verteidigung.' Vom 4.4.1936. Translation and Introduction by Dr. Günter Blau. (Berlin, 1957. Pp. xxvii + 187. Price DM 22.50.)

These German editions of the Argentine Criminal Code of 1921 and of the Cuban Criminal Code of 1936 are valuable contributions to our all-too scanty knowledge of recent developments in the legal systems of the Spanish speaking world. The Introductions present detailed pictures of the various stages leading to the present codifications and well-balanced views on their place in the history of modern penal legislation.

Although Argentina had gained her independence already in 1810, Spanish criminal law was, with some amendments, retained until 1886, when the first Criminal Code was passed which, again in an amended form, remained in force until 1921. The present Code is, as Mr. Mattes points out, largely eclectic, following predominantly Spanish and Italian models. Ferri's famous positivist Draft Code of 1921, which tried to replace the ideas of moral responsibility and guilt by those of social responsibility and dangerousness, and penalties by measures of security, appeared too late to influence the work of the legislators in more than some points of detail. Measures of security according to dangerousness do not replace penalties according to guilt, but are added to them, which means a dual-track system on the lines of the English system of preventive detention before 1948. Indeterminate sentences are provided not for penalties but only for measures of security. On the other hand, the idea of dangerousness has found its place in the directives given to the courts regarding sentencing. Children under fourteen cannot be punished but are subject to educative and reformative measures. With regard to individual offences it may be noted that homosexual conduct is an offence only in cases where heterosexual conduct would also be punishable. In the past thirty-five years several new Draft Codes have been prepared, mostly with the object of introducing more positivist ideas, but so far without success.

The very detailed Cuban Code—it contains no less than 594 articles, many of them of considerable length—is the direct successor of the Spanish Criminal Code of 1870. It is characteristically called 'Code for Social Defence'—characteristically in so far as this title shows the general tendency of the Code to pretend that it is fundamentally based on the theories of the Italian positivist school Ferri's. In fact, as Dr. Blau points out in his very useful Introduction, the Code represents a compromise between classical and positivist doctrines. The concept of guilt is by no means altogether replaced by that of social dangerousness, and, as in the Argentine Code, measures of security can be imposed not instead but as a rule only in addition to penalties. More extreme is, however, the possibility, provided for in arts. 48C, and 580A, of imposing such measures on persons regarded as dangerous but not found guilty of an offence—a possibility which reminds us of similar measures provided in a few of the psychopathic sex offenders' statutes in the United States. On the other hand, there is also an inclination to fetter the dis-

[1] See on previous numbers of this series *Brit. J. Delinq.*, Vol VI, No. 3, January, 1956, p. 245.

cretionary powers of the judiciary through minute directives in the field of sentencing. The provisions dealing with the treatment of juvenile offenders are surprisingly inadequate: children over 12 are responsible and to be sent to special institutions, and children under 12 who commit offences are, apparently without any discrimination, regarded as ' socially dangerous ' (art. 35D). Perhaps more than anything else, this shows that in spite of the great thoroughness with which the Code had been prepared over a period of many years, in spite of extensive theoretical discussions and controversies, and in spite of many interesting points of detail, the Cuban Code as a whole is disappointing in the light of modern ideas.

H. M.

THE URGE TO PUNISH. By Henry Weihofen. (London: Gollancz Ltd. 1957. Pp. x + 213. 15s.)

This book, which contains the fourth annual Isaac Ray Lectures, delivered at Temple University, Philadelphia, in December, 1955, in memory of the eminent nineteenth century American forensic psychiatrist, is a useful contribution to the perennial problem of ' law and psychiatry '. One of its focal topics is a detailed and devastating criticism of the McNaghten Rules and an evaluation of the various attempts to replace them by a more reasonable and up-to-date formula. With regard to the first, the negative, part of his programme the author admits that his criticisms are neither original nor new (p. 58), but they are well-informed and skilfully marshalled, and the author is right in quoting André Gide's ' Everything has been said already. But as no one listens, we must always begin again.' In three other chapters Professor Weihofen considers the ' roads from McNaghten ' in particular Dr. Ray's so-called ' Product Rule ' and the recent proposals of the American Law Institute (A.L.I.). Dr. Ray's Rule, originally formulated already in 1838, five years before the McNaghten Rules, provided that ' insane persons should not be held responsible for their criminal acts unless the acts are proved not to have been the direct or indirect result of the insanity ', and ' the jury should be permitted to decide whether or not the mental disorder, if it existed, embraced the criminal act in its sphere of influence ' (pp. 3–4). In a slightly different form, this Rule was adopted in 1871 by the Supreme Court of the State of New Hampshire; and in 1954 in Durham v. United States the Court of Appeal for the District of Columbia also held that ' an accused is not criminally responsible if his unlawful act was the product of mental disease or mental defect.' In 1953, in England, the Royal Commission on Capital Punishment had already, with three dissenting voices, recommended a similar formula which would have left it to the jury ' to determine whether the accused was suffering from disease of the mind (or mental deficiency) to such a degree that he ought not to be held responsible.' With a few modifications, the author favours this ' Product Rule ', which abolishes the McNaghten Rules and the test of irresistible impulse, and he prefers it to the proposal of the A.L.I., according to which ' a person is not responsible for criminal conduct if at the time of such conduct as a result of mental disease or defect he lacks substantial capacity either to appreciate the criminality of his conduct or to conform his conduct to the requirements of law ' (A.L.I. Model Penal Code Tentative Draft No. 4, Sect. 4.01). Professor Weihofen argues, among other points, that to substitute the word ' criminality ' for the ' wrong ' of the McNaghten Rules would exclude, *e.g.* cases of paranoiacs who know that their acts are criminal, and he doubts whether they would be covered by the second alternative, *i.e.* lack of ' capacity to conform '

(p. 66). He also argues that 'capacity' to appreciate and to conform is not a psychiatric concept and that 'no one has even suggested a test or method for measuring these capacities . . . Psychiatry does not work with these concepts, and no research now going on is going to throw any light on them' (p. 77). While there is a great deal of truth in these criticisms, they may make us despair of finding any legal formula which would fully conform with psychiatric requirements. It is of course just for this reason that the author prefers the 'Product Rule'. He realizes that for the jury, too, no legal formula has any real meaning: 'what we really want is the jury's sense of justice' (p. 96).

Another chapter deals with the procedural proposals of the A.L.I. Here the author rightly endorses the recommendations of the Institute that the burden of proof should be on the prosecution and that the court should appoint at least one qualified psychiatrist to examine and report upon the mental condition of the accused, and a few other proposals, all of which would, incidentally, bring American procedure more in line with Continental law and practice. The final chapter, from which the book takes its title, is largely a repetition of the principal arguments against capital punishment. If there is one serious shortcoming in this otherwise very informative book it is the complete absence of comparative material drawn from Continental sources. Such comparative material would have made it easier still for the author to refute the largely out-of-date arguments in favour of the McNaghten Rules recently used by a few eminent American writers. The Homicide Act, 1957, came of course too late to be considered, but the misprint 'John Harvard' instead of John Howard (p. 207) might have been corrected.

H. M.

TEACH THEM TO LIVE. By Frances Banks. (London: Max Parrish. 1958. Pp. 287. 30s.)

This is the only account of modern educational work in English prisons to be produced. A hundred and fifty years ago, Bentham demanded that we 'turn the prison into a school. . . .' Miss Banks is now able to show how this, the least impractical and most constructive suggestion for his ill-fated 'panopticon' has been partially adopted in our penal institutions since the war. Only partially adopted, because the prison can never be just a school: it must become a place where all the arts and sciences of human behaviour are skilfully applied to the readjustment of character. The Tutor Organizer is but one specialist among many, and his place among the governing staff, the psychologists, medical officers and others is fully justified if he provides not merely entertainment on dull evenings, not just academic instruction for those wishing to continue or resume serious studies, not only teaching of practical skills which can win the prisoner a job on release, but if he also obeys the striking injunction which Miss Banks has taken for her title, 'Teach Them to Live.' His most important task, surely, is to weld together and simplify the other specialists' knowledge, and present general courses of instruction upon the most common problems with which prisoners have had to deal before sentencing, and which they will find obstructing them upon discharge: courses which discuss, explain and offer solutions to social difficulties. The Tutor Organizer in his daily contact with inmates, a contact more informal than that of other officials, can do much to build up confidence in their own ability to overcome the complexities of modern life, to realize and accept responsibility for their

own behaviour and its effect upon other citizens. At his disposal, the prison education officer has every facility for stimulating the imagination and turning more quickly, and in the right direction, the wheels of minds which may for years have been shunting slowly back and forth without destination.

Miss Banks describes the individual efforts which have been made to provide some form of social education in our prisons and borstals, and few readers who are not familiar with the day-to-day organization of these institutions will not be surprised at the variety and quality of the classes now running, as she describes them. The author speaks from experience. She was Tutor Organizer at Maidstone Prison for nearly five years, and she has since studied the educational activities in a score of other prisons and borstals. What she describes is not so much a system as a series of encouraging experiments carried out under the Prison Commissioners and the Local Education Authorities, the full value and validity of which cannot yet be assessed. Prison education is still, a hundred and fifty years after Bentham, in childhood. Miss Banks has described its early toddling with great insight. This is a child for whose future she is deeply concerned. Her book is full of interesting proposals for the manner in which it will grow, which will stimulate her successors and create lively interest among all who are interested in the treatment, and not just the punishment, of offenders. ' Teach Them to Live ' is an important contribution to penal literature, well written and full of humanity.

D. L. HOWARD.

RACIAL FACTORS AND URBAN LAW ENFORCEMENT. By William M. Kephart. (University of Pennsylvania Press, Philadelphia. 1957. Pp. 209. $5.00.)

This survey was, in the first instance, undertaken with the limited practical object of providing the Philadelphia Police Department with factual information about race relations with the police force, more specifically about the integration, or absence of it, of negro policemen. Beyond that, it was the author's object to provide social scientists with statistical and descriptive material on certain broader aspects of the American negro problem, in particular negro crime, and to test the hypothesis that the attitude of a person towards a minority group relates to the extent to which the group is ' visible ' to him. It is the first study of its kind, undertaken with the full support of the Philadelphia Police Commissioner who, with remarkable openmindedness, gave the auther, a sociologist from the University of Pennsylvania, unlimited facilities for an independent investigation of his Department on a very delicate subject. Inevitably, priority had to be allotted to questions of direct practical interest, such as: did white policemen resent working together with negroes or taking orders from a negro sergeant or captain, or what was a negro policeman's attitude towards negro offenders and was it different from a white policeman's towards them? The technique employed by Professor Kephart was largely that of individual interviews, and forty-six superior officers, a small number of the more than 3,500 white policemen and about a third of the 150 negro policemen were interviewed. Most members of the white police force had to be dealt with by way of questionnaires, of which over 50 per cent. were returned (the questionnaire and the replies are reproduced in the Appendices). One of the most important questions aimed at finding an explanation for the very small number of negroes in the Force and in particular among the sergeants and higher ranks. This under-representation is all the more striking as arrests of

negroes numbered over 50 per cent. of the total in a city with about 25 per cent. negroes. As the author observes, this means that most arrests involve a white policeman and a negro offender, which is in itself bound to produce a serious problem to the administration of criminal justice. With this problem the author deals in a very illuminating manner, and his findings and recommendations should be of considerable value to the Philadelphia Force and others in big American cities with similar problems. They should also be of interest to the negro communities themselves. The investigation reveals not only certain weaknesses in the selection and training of the policemen and in the state of public relations, especially between the police and the negro press, but it also makes a number of constructive proposals such as the setting up of a special office within the Police Department for the handling of individual complaints and pleads for ' internal action on the part of the negro community ' to reduce the ' staggering ' crime rate. The author's material seems to show that this excessive rate is due not so much to the poorer economic and educational standards of the negro community as to their lack of effective leadership. How far Professor Kephart's conclusion that ' responsibility falls primarily on the negro community itself, and thus far acceptance of this responsibility has lagged ' (p. 175) is borne out by the facts, if seen in the light of all the relevant conditions, is impossible to decide for the outsider, but he has certainly made out a strong case for further research. Not surprisingly, one of his recommendations is for research on the effect on the crime rate of the constant influx of negros from the South—research which he writes has so far never been attempted in the United States. The author's ' visibility hypothesis ', by the way, was borne out with regard to negro crime; not, however, with regard to negro policemen. H. M.

THE FAMILY LIFE OF OLD PEOPLE—AN INQUIRY IN EAST LONDON. By Peter Townsend. (London: Routledge and Kegan Paul. 1957. Pp. 284. 30s.)

Like its predecessor, the first report of the Institute of Community Studies entitled ' Family and Kinship in East London ', this book has no direct relevance to delinquency. Its importance lies in containing a highly competent and well written study of the social background existing in Bethnal Green against which behaviour disorders might be evaluated.

Most studies of the family start with the child, and in many ways this investigation of social relations of people right through life is much more informative. Very few old people were found to be living alone, and over three-quarters of their number were members of ' extended ' families of three or two generations. Members of extended families do not necessarily live together, but they see one another frequently and rely on each other for numerous reciprocal services. Most of these families were oriented along an axis running through grandmother and daughter to grand-daughter. Men tended to keep their earnings secret, to lead their own social lives. and to visit their own original families unaccompanied by their wives. When old they were often belittled or even openly criticized by their women folk. Joan and Darby, let alone Philemon and Baucis, are not, one gathers, frequently encountered in Bethnal Green.

This is a social study, and beyond confirming that people admitted to the local geriatric unit and, to an even greater extent, those living in welfare homes were less well integrated socially than old people remaining in the community, no

attempt is made to relate social findings to mental and physical health or to behaviour disorders occurring in the families so carefully studied. With the author, one wonders to what extent the family structures described would be found in middle-class districts.

F. Post.

The Conquest of Loneliness. By Eric P. Mosse, M.D. (New York: Random House. 1957. Pp. 241. $3.75.)

If we conclude that the ultimate psychological need of the human being is satisfying object relationships, that the love relation from babyhood to adult is as essential to life as a vitamin, then loneliness is the central problem of living, all else is commentary on this basic theme. There is no doubt about its import to modern life and particularly to communities where gregariousness is an irreducible minimum for happiness. The American scene is illuminated by this need and quest.

Dr. Mosse, who has divided his life between devotion to medical psychology and to the theatre and literature, has produced in this volume a very human if somewhat romanticized picture or a series of picture cases of loneliness and its wide neurotic consequences. He writes well and he brings home analytic findings forcibly and convincingly. He opens with a study of the importance of communication in human affairs—from the fundamentals of speech in carrying meanings to the transmission of meanings of an affective kind by gesture, which, in a large measure, brings us together. The rest of the volume is the conveying of psychoanalytic theory by a multitude of striking case studies.

To the specialist there is little to learn, but the author certainly uses literary art as a means of communication. In so doing he wanders amicably from his theme and covers all aspects of neurosis and psychosis and occasional criminal behaviour. His concept of loneliness, therefore, is too wide to have useful definition.

E. M.

Chronic Schizophrenia. By Thos. Freeman, John L. Cameron and Andrew McGhie. (London: Tavistock Publications. 1958. Pp. 158. 21s.)

It is only in recent years that psychiatric clinicians have considered the social relations of their patients within the confines of a hospital. Formerly the custodial attitude of the alienist considered the hospital as four walls to guard patient and public. The rest was silence, only broken by the fitful outcry of the distressed inmates.

The three authors jointly studied, over a period of two years, two groups of chronic patients, all of the schizophrenic family, in their relation to doctors and nurses. This was done in the light of analytic theories of psychopathology. ' Our aim ', say the authors, ' has been to study and treat the schizophrenic patient as a living individual acted upon by interpersonal forces that promote or impede recovery.' The basic Freudian theory of mental functioning is succinctly described as a prelude to considering the special psychopathology of schizophrenia, as it was felt that changes occur as a result of therapeutic efforts and these are best understood in the light of analytic ego-psychology. The major disturbances of schizophrenic mental life lie in the field of identity, perception and thinking—symbolic and otherwise—and each of these fields is exposed to analytic scrutiny with illustrative case material.

It is evident from this conscientious psychoanalytic study of the various disturbed mental functions in schizophrenia how many conflicting theories exist within the psychoanalytic orbit. Each seems to have some relevance to the data of case studies so liberally given. Whatever the final synthesis, we are clearly far from an understanding of the disintegrating process; for even on this assumption it is surpising how much on the concrete level remains intact. Much child thinking is of this order, but who dares to dub this chaotic?

To get to understand the mental products of the patients, it was necessary to set up a group life shared by patients, doctors and nurses alike—not an easy task, and not easy to graft on to a formal hospital. It led to much discontent and criticism by the nurses because of the change of discipline. Nevertheless it was productive to a high degree in understanding, if not in therapeutic results. It might be suggested that this essentially humanistic rather than clinical approach has its virtues. Yet we may still ask—does the psychological explain the schizophrenic process? (Freud would himself have shrugged a shoulder and looked back to some physiological soil from which these psychic anomalies are made possible and frequently so irreversible.)

Yet there is no denying the satisfaction in decoding schizophrenic talk and particularly in the group situation which these workers created in an atmosphere initially critical, if not wholly hostile. They claim a measure of rehabilitation for some long-standing patients. Some became sufficiently ego-strengthened to leave hospital. This is no small triumph even if a minimum number of patients profited. Perhaps the decoding of delinquent behaviour may prove an important therapeutic step if carried out in the same spirit.

E. M.

PSYCHOTHERAPY OF THE ADOLESCENT. Edited by Benjamin Harris Balser, M.D. (New York: International Universities Press Inc. 1957. Pp. 273. $5.)

This volume represents in somewhat expanded form a symposium of psychotherapy with the adolescent at the section of Child Psychiatry of the American Psychiatric Association in 1953. The chapters cover psychotherapy in private practice, at school level, with in-patients, at general hospital clinic level, etc. A recorded psychotherapeutic interview is presented and there is a chapter from the schoolmaster's point of view. The authors include among others Irene M. Josselyn, J. Franklin Robinson, Sidney Berman and Exie Welsch. The latter in discussion of the material draws attention to the wide areas of agreement on the necessity of a flexible approach, the inappropriateness of the analysis of the biographical past of the adolescent in most cases, the necessity for maintaining a supporting rôle in psychotherapy, etc.

This is a most useful book for the practising therapist, written with the authority and realistic approach that derive from experience. The concepts and broad terminology of psycho-analysis are utilized by several of the authors who do not, however, wander far from direct clinical material.

KENNETH CAMERON.

THE PATIENT SPEAKS. By Harold A. Abramson. (New York: Vantage Press. 1958. Pp. 239. $3.50.)

This is an account of the psychotherapeutic treatment of an individual patient suffering from asthma and eczema, presented by means of extracts culled from approximately 300 interviews which were recorded verbatim. It is suggested that the raw material of psychoanalysis, that is, the interview material, must be published in extenso for scrutiny by independent observers before psychoanalysis can achieve scientific status. I confess this prospect fills me with dread, for it makes for tedious reading, and psychiatry has suffered enough from a surfeit of such clinical material. This book illustrates all the defects of such a method, there is inevitably selection (only 150 interviews of the 300 are abstracted), and the repetition which makes one long nostalgically for an early case report by Freud. However, more important than the method of presentation are the deductions which Dr. Abramson draws from the material. From other experiences, and using this case as an example, he puts forward a theory of child-parent relationships in allergy which he calls ' maternal engulfment ' in place of the fashionable ' maternal rejection ' theory. He christens this the Cronus Complex—using the myth of Cronus, who swallowed his offspring, but was eventually hoodwinked and overcome by Zeus, his son. The allergic child is in a mutually engulfing rôle with a parent, who may be the father just as well as the mother. The parent swallows up the child, and attempts to mould it into the parent's own narcissistic patterns, seeking to preserve the child's dependence, protecting it from harm, gratifying it, and so on.

To a psychiatrist, Dr. Abramson seems to put forward these views most naïvely, as though they were relatively new concepts. There is no mention of Melanie Klein's work, a knowledge of which would appear to be fundamental for any consideration of this type of psychopathology. It is difficult to imagine for whom the book is written—the allergist and psychiatrist will both remain unsatisfied, and it would be an odd layman who could maintain interest in Alice and her eczema for 239 pages.

DENIS LEIGH.

PUBLICATIONS RECEIVED

(*Inclusion in this list does not preclude a later review*)

Books

SIR CARLETON KEMP ALLEN. 'Aspects of Justice'. Stevens and Sons. 25s.
C. D. AMMOUN. 'Study of Discrimination in Education'. United Nations. 9s.
J. BALLS. 'Where Love Is'. V. Gollancz. 16s.
F. BAUER. 'Das Verbrechen und die Gesellschaft'. Reinhardt Verlag, Munchen.
A. BESSON *et al.* 'Les Enfants et les Adolescents Socialement Inadaptes'. Editions Cujas, Paris.
H. BLUM. 'Die Kriminalitat der vorsätzlichen Tötungen'. Ludwig Rohrscheid Verlag, Bonn. 8 DM.
S. BORELLI and W. STARCK. 'Die Prostitution als Psychologisches Problem'. Springer Verlag. 48 DM.
A. BRATHOLM. 'Pagripelse og Vareteksfengsel'. Oslo University Press.
G. F. CLAYTON. 'The Wall is Strong'. John Long. 16s.
B. COBB. 'The First Detectives'. Faber. 15s.
E. COHN. 'Richter. Staat und Gesellschaft in England'. C. F. Muller. 3.60 DM.
J. W. B. DOUGLAS and J. M. BLOMFIELD. 'Children Under Five'. Allen and Unwin. 21s.

E. Durkheim. 'Professional Ethics and Civic Morals'. Routledge and Kegan Paul. 16s.
Etudes Carmélitaines. 'Structure et Liberté'. Desclée de Brouwer, 1,800 Fr.
J. and B. Frank. 'Not Guilty'. V. Gollancz. 18s.
S. Freud and D. E. Oppenheim. 'Dreams in Folklore'. International Universities Press. $3.
B. D. Grew. 'Prison Governor'. Herbert Jenkins. 21s.
S. Hegeler. 'Peter and Caroline'. Tavistock Publications. 7s. 6d.
E. Heller (Ed.). 'Die Ungarische Strafprozessordnung'. Walter de Gruyter. 10.20 DM.
H. von Hentig. 'Zur Psychologie der Einzeldelikte'. Vol. III. J. C. B. Mohr. 14.50 DM.
H. von Hentig. 'Vom Ursprung der Henkersmahlzeit'. J. C. B. Mohr. 24 DM.
D. L. Howard. 'John Howard, Prison Reformer'. Christopher Johnson. 18s.
M. Kerr. 'The People of Ship Street'. Routledge and Kegan Paul. 23s.
E. Kramer. 'Art Therapy in a Children's Community'. Charles C. Thomas, Illinois, and Basil Blackwell, Oxford. 51s.
G. Kuhn. 'Das Phänomen der Strichjungen in Hamburg'. Bundeskriminalamt.
N. Leopold. 'Life plus Ninety Nine Years'. V. Gollancz. 21s.
B. Lewin. 'Dreams and the Uses of Regression'. International Universities Press. $2.60.
H. Loewy. 'More About the Backward Child'. Staples Press. 15s.
K. Lovell. 'Educational Psychology and Children'. University of London Press. 18s.
A. F. Lykke. 'Parolees and Payrolls'. Charles C. Thomas, Illinois, and Basil Blackwell. 36s.
J. M. MacDonald. 'Psychiatry and the Criminal'. Charles C. Thomas, Illinois, and Basil Blackwell. 42s.
J. S. MacPherson. 'Eleven-Year-Olds Grow Up'. University of London Press. 15s.
T. Morris. 'The Criminal Area'. Routledge and Kegan Paul. 25s.
J. E. Moore *et al.* 'The Neurologic and Psychiatric Aspects of the Disorders of the Ageing'. Williams and Wilkins, Baltimore, and Baillière, Tindall and Cox. 68s.
C. A. Moser. 'Survey Methods in Social Investigation'. Heinemann. 35s.
G. Myrdal. 'Value in Social Theory'. Routledge and Kegan Paul. 32s.
National Probation and Parole Association. 'Standards and Guides for the Detention of Children and Youth'. $2.00.
F. and W. Oursler. 'Father Flanagan of Boys' Town'. Windmill Press. 5s.
Lord Pakenham. 'The Causes of Crime'. Weidenfeld and Nicolson. 21s.
H. H. Perlman. 'Social Casework: A Problem-Solving Process'. University of Chicago Press and Cambridge University Press. 37s. 6d.
G. Playfair and D. Sington. 'The Offenders'. Secker and Warburg. 25s.
D. R. Price-Williams. 'Introductory Psychology'. Routledge and Kegan Paul. 18s.
J. Robertson. 'Young Children in Hospital'. Tavistock Publications. 4s. 6d.
B. Roeder. 'Katorga'. Heinemann. 21s.
M. Roman. 'Reaching Delinquents Through Reading'. Charles C. Thomas, Illinois, and Basil Blackwell. 34s.
M. Rooff. 'Voluntary Societies and Social Policy'. Routledge and Kegan Paul. 35s.
K. Schneider. 'Psychopathic Personalities'. Cassell. 18s.
B. Simon (Ed.). 'New Trends in English Education'. MacGibbon and Kee. 25s.
P. Slade. 'An Introduction to Child Drama'. University of London Press. 8s. 6d.
E. Stengel and N. G. Cook. 'Attempted Suicide'. Chapman and Hall. 25s.
R. Titmuss. 'Essays on "The Welfare State"'. Allen and Unwin. 20s.
A. Vexliard. 'Le Clochard—Etude de Psychologie Sociale'. Desclée de Brouwer. 200 Fr.
N. Walker. 'A Short History of Psychotherapy'. Routledge and Kegan Paul. 25s.
R. S. Wallerstein *et al.* 'Hospital Treatment of Alcoholism'. Imago Publishing Company. 42s.
J. H. Wallis and H. S. Booker. 'Marriage Counselling'. Routledge and Kegan Paul. 25s.
B. Wehner. 'Die Latenz der Straftaten'. Bundeskriminalamt.
V. von Weizsaecker. 'Le Cycle de la Structure'. Desclée de Brouwer.
Glanville Williams. 'The Sanctity of Life and Criminal Law'. Faber. 30s.
D. W. Winnicott. 'Collected Papers (Through Paediatrics to Psycho-Analysis).' Tavistock Publications. 35s.

Reports

E. M. Goldberg *et al.* 'The Boundaries of Casework'. Association of Psychiatric Social Workers.
H. Jescheck and T. Würtenberger. 'Internationales Colloquium uber Kriminologie und Strafrechtsreform'. Schulz Verlag, Freiburg. 8 DM.
R. Lehz. 'Rapport Général sur l'Exercice 1957'. Ministère de la Justice, Paris.
National Conference on Social Welfare. 'Planning Social Services for Urban Needs'. Columbia University Press, U.S.A. Oxford University Press, London. 20s.

New York City Youth Board. 'An Experiment in the Validation of the Glueck Prediction Scale'. Progress Report. 1952–56.
The National Conference on Parole. 'Parole in Principle and Practice'. National Probation and Parole Association. $2.
U.N. 'Legal Status of Married Women'. 5s.

Pamphlets
W. E. Cavenagh, T. A. Ratcliffe, T. G. Rankin, and A. F. Philp. 'The Problem Family'. I.S.T.D. Publications. 3s.
Council for Children's Welfare and the Fisher Group. 'Families with Problems'. 2s.
D. V. Donnison and M. Stewart. 'The Child and the Social Services'. Fabian Society. 3s.
Sir H. Pilkington. 'The Boy in Industry'. 7th Charles Russell Memorial Lecture. 9d.
L. Radzinowicz. 'Sir James Fitzjames Stephens and His Contribution to the Development of Criminal Law'. Selden Society Lecture. 6s. 6d.
Sociological Review Monograph No. 1. 'The Problems Arising from the Teaching of Personality Development'. University College of North Staffordshire, Keele.
M. Tilley. 'Where Help Begins'. Church Information Board. 1s. 6d.

REFERENCES

CRIMINOLOGY

M. Grünhut: 'Juvenile Delinquency in the Post-War Period', *Approved Schools Gazette*, 1958, **52,** 3, 91–97.

Stephen M. Herman: 'Scope and Purposes of Juvenile Court Jurisdiction', *The Journal of Criminal Law, Criminology and Police Science*, 1958, **48,** 6, 590–607.

Mabel A. Elliott: 'Perspective on the American Crime Problem', *Social Problems* 1957/58, **5,** 3, 184–193.

Joseph K. Balogh: 'Juvenile Delinquency Problems', *The Journal of Criminal Law, Criminology and Police Science*, 1958, **48,** 6, 615–618.

Eleanor T. Glueck: 'Body Build in the Prediction of Delinquency', *The Journal of Criminal Law, Criminology and Police Science*, 1958, **48,** 6, 577–579.

Robert G. Caldwell: 'A Re-examination of the Concept of White-Collar Crime', *Federal Probation*, 1958, **22,** 1, 30–36.

Jean Graven: 'L'Argot des Criminels et son Importance en Criminologie', *Revue Internationale de Criminologie et de Police Technique*, April-June, 1958, **12,** 2, 81–99.

Hans von Hentig: 'Der Hausfreund', *Monatsschrift für Krimiminologie und Strafrechtsreform*, 1958, **41,** 1/2, 1–13.

Gustav Nass: 'Der Betruger', *Monatsschrift für Krimiminologie und Strafrechtsreform*, 1958, **41,** 1/2, 14–33.

F. Schleyer: 'Studien über das Delikt der gewalttätigen Kindermisshandlung', *Monatsschrift für Krimiminologie und Strafrechtsreform*, 1958, **41,** 3/4, 65–76.

PENOLOGY

M. Grünhut: 'The Human Element in Prison Administration', *The Howard Journal*, 1958, **10,** 1, 30–38.

Donald R. Cressey and Witold Krassowski: 'Inmate Organization and Anomie in American Prisons and Soviet Labour Camps', *Social Problems*, 1957/58, **5,** 3, 217–230.

A. GOULD: 'Time and Training', *The Howard Journal*, 1958, **10**, 1, 50–54.
N. S. TIMASHEFF: 'The Dutch Prison System', *The Journal of Criminal Law, Criminology and Police Science*, 1958, **48**, 6, 608–615.
MARK SHEDRON: 'The Religious Program in a Correctional Setting', *Federal Probation*, 1958, **22**, 1, 42–44.
NATIONAL ASSOCIATION OF PROBATION OFFICERS: 'The Training of Probation Officers', *Probation*, 1958, **8**, 10, 141–145.

PSYCHIATRY

PETER D. SCOTT: 'The Psychopath', *The Howard Journal*, 1958, **10**, 1, 6–18.
A. H. TUMA and LUCY D. OZARIN: 'Patient "Privileges" in Mental Hospitals', *The American Journal of Psychiatry*, 1958, **114**, 12, 1104–1110.
MICHAEL HAKEEM: 'The Psychiatric Approach to Delinquency', *Social Problems*, 1957/58, **5**, 3, 194–206.
D. N. GIBBS: 'Mental Abnormality and Military Delinquency', *The Journal of Mental Science*, 1958, **104**, 434, 174–178.
JEAN SARKISSOFF: 'Vers une Meilleure Compréhension Psychiatrique de la Délinquance', *Revue Internationale de Criminologie et de Police Technique*, April–June, 1958, **12**, 2, 99–108.

PSYCHOTHERAPY

PATRICK G. MCGRATH: 'The Treatment of the Psychotic Offender', *The Howard Journal*, 1958, **10**, 1, 38–44.
LOUISE V. FRISBIE: 'The Treated Sex Offender', *Federal Probation*, 1958, **22**, 1, 18–25.
PHILIP W. MORSE: 'Psychotherapy with the Non-reflective Aggressive Patient', *American Journal of Orthopsychiatry*, 1958, **28**, 2, 352–361.
H. J. DE BARAHONA FERNANDES: 'Drugs, Psychotherapy, and the "Vital" Transference', *American Journal of Psychotherapy*, 1958, **12**, 2, 243–252.
ERNST PAPANEK: 'Re-education and Treatment of Juvenile Delinquents', *American Journal of Psychotherapy*, 1958, **12**, 2, 269–296.

SOCIOLOGY

JAMES F. SHORT, JNR., and F. IVAN NYE: 'Reported Behaviour as a Criterion of Deviant Behaviour', *Social Problems*, 1957/58, **5**, 3, 207–213.
HARVEY TREGER: 'How You Can Help the Alcoholic Offender', *Federal Probation*, 1958, **22**, 1, 25–30.
ROLAND BERGER: 'L'Enfant Voleur', *Revue Internationale de Criminologie et de Police Technique*, April–June, 1958, **12**, 2, 109–114.

SOCIAL PSYCHOLOGY

ALVIN ZANDER: 'Group Membership and Individual Security', *Human Relations*, 1958, **11**, 2, 99–113.

LAW

W. LINDESAY NEUSTATTER: 'The Wolfenden Report. I—Homosexuality', *The Howard Journal*, 1958, **10**, 1, 18–25.

T. C. N. GIBBENS: 'The Wolfenden Report. II—Prostitution', *The Howard Journal*, 1958, **10**, 1, 25–29.

J. T. LOWE: 'Murder and the Reasonable Man', *Criminal Law Review*, 1958, 289–298, 374–382, 453–468.

S. PREVEZER: 'Automatism and Involuntary Conduct', *Criminal Law Review*, 1958, 361–368, 440–453.

DAVID REIFEN: 'The Child as Victim of a Sexual Offence: A New Method of Investigation in Israel', *The British Journal of Psychiatric Social Work*, 1958, **4**, 3, 11–17.

JEAN CONSTANT: 'Les projets de loi belges instituant la probation', *Revue de Science Criminelle et de Droit Penal Comparé*, 1958, **12**, 2, 319–340.

STANISLAW PLAWSKI: 'Quelques aspects du nouveau droit penal polonais', *Revue de Science Criminelle et de Droit Penal Comparé*, 1958, **12**, 2, 341–356.

HERBERT L. A. HART: 'Murder and the Principles of Punishment: England and the United States', *Northwestern University Law Review*, 1957, **52**, 4, 433–461.

HERBERT L. A. HART: 'Positivism and the Separation of Law and Morals', *Harvard Law Review*, 1958, **71**, 4, 593–629.

HERMANN MANNHEIM: 'Sentencing: A Reply', *Justice of the Peace and Local Government Review*, 1958, **CXXII**, 7, 104–106.

JOHN V. BARRY: 'Hanged by the Neck until. . . .', *The Sydney Law Review*, 1958, **2**, 3, 401–413.

JEAN GRAVEN: 'La Classification des Infractions du Code Penal at ses Effets', *Revue Penale Suisse*, 1958, **73**, 1/2, 1–43.

EDUCATION

N. H. MATTOCK: 'The Youth Employment Officer and the Approved School', *Approved Schools Gazette*, 1958, **52**, 3, 80–84.

SEXOLOGY

J. RABOCH and K. NEDOMA: 'Sex Chromatin and Sexual Behaviour', *Psychosomatic Medicine*, 1958, **20**, 1, 55–59.

NAHMAN H. GREENBERG and ALAN K. ROSENWALD: 'Transvestism and Pruritus Perinei', *Psychosomatic Medicine*, March–April, 1958, **20**, 2, 145–151.

CONTRIBUTORS TO THIS NUMBER

M. M. GLATT, M.D., D.P.M.; Consultant Psychiatrist, St. Bernard's Hospital, Southall, Middlesex; formerly Assistant Psychiatrist at Warlingham Park Hospital, where in 1952 he started an Alcoholic Group which gradually developed into an Alcoholic Unit. He is a member of the Council of the Society for the Study of Addiction.

HARRIETT C. WILSON, B.Sc. (Econ.) is a sociologist. Her research at University College, Cardiff, on juvenile delinquency has been supported by the Sir Halley Stewart Trust.

BARBARA DOCKAR-DRYSDALE is the Co-Principal of the Mulberry Bush School, Standlake, Oxfordshire, an independent special school for maladjusted children, fully recognized by the Ministry of Education.

MELITTA SCHMIDEBERG, M.D. Lecturer and training analyst for the British Psychoanalytic Society from 1938 to 1945. Psychiatrist to the Institute for the Scientific Treatment of Delinquency from its inception until she left England in 1945. Founder of the Association for Psychiatric Treatment of Offenders, New York; Lecturer, Institute for Psychotherapy, New York. Specializes in the treatment of criminals and psychopaths.

THE INSTITUTE FOR THE STUDY AND TREATMENT OF DELINQUENCY

has arranged two weekend conferences during 1958 dealing with the issues of

THE WOLFENDEN REPORT

The first of these, on "Prostitution", was held in April, 1958

The second will be on

HOMOSEXUALITY

at

BEECHWOOD COURT, HARROGATE

7th - 9th NOVEMBER, 1958

Speakers include: Dr. SHERWIN BAILEY
Mr. RALPH CLEWORTH, Q.C.
Dr. L. H. RUBINSTEIN

Details from: Miss E. SAVILLE, I.S.T.D., 8 Bourdon Street, London, W.1.
TEL. MAY 3472

The Journal of CRIMINAL LAW CRIMINOLOGY and POLICE SCIENCE

TIMELY SCIENTIFIC INFORMATION ON THE SUBJECT OF CRIME ITS CAUSE, DETECTION AND PREVENTION

PUBLISHED BY THE WILLIAMS & WILKINS CO. U.S.A. FOR THE NORTHWESTERN UNIVERSITY SCHOOL OF LAW

RECENT ARTICLES INCLUDE:

Pioneers in Criminology. XVI—Emile Durkheim (1858–1917)
Some Considerations on the Character and Organization of Prison Labour
Adult Criminal Offence Trends Following Juvenile Delinquency
Marital Relationships of Prisoners
Police Training—Small Communities
Some Aspects of Fraud, Control and Investigation
A Method of Lifting and Photographing for Evidence
Certification of Local Law Enforcement—A Must

STANDARD FEATURES:

Criminal law notes and comments
Current notes
Book reviews
Police science technical and legal abstracts

Edited by ROBERT H. GAULT and FRED E. INBAU. Published bi-monthly, one volume a year beginning May. Volume 49 current in 1958/1959. Subscription price per year: $7.50, U.S.A. ($7.75, Canada), U.K. and Commonwealth £3.

Distributed in the U.K. and Commonwealth by

Baillière, Tindall & Cox Ltd., 7 and 8 Henrietta St., London, W.C.2

The British Journal of PSYCHOLOGY

EDITED BY BORIS SEMEONOFF

VOL. XLIX PART 3 AUGUST 1958 20s. NET

CONTENTS

Obituary Notice: Ernest Jones.
James. J. Gibson. Visually controlled locomotion and visual orientation in animals.
S. A. Barnett. Experiments on ' neophobia ' in wild and laboratory rats.
R. L. Reid. The role of the reinforcer as a stimulus.
N. H. Mackworth and *J. F. Mackworth.* Visual search for successive decisions.
S. Friedmann. The role of attitudes in comprehension.
E. C. Poulton. Time for reading and memory.
H. S. Eysenck and *P. Slater.* Effects of practice and rest on fluctuations in the Müller-Lyer illusion.
Publications recently received
Other publications received

The subscription price per volume, payable in advance, is 60s. net (post free).
Subscriptions may be sent to any bookseller or to the

Cambridge University Press

BENTLEY HOUSE, EUSTON ROAD, LONDON, N.W.1